

THE STATE OF SOUTH CAROLINA

No. 2022-000339

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

APPEAL from RICHLAND COUNTY Court of COMMON PLEAS
D. Craig Brown, Former/Resigned Circuit Judge, Case No. 2019-CP-40-01374,

Which is an Appeal from Richland County (Dentsville) Magistrate Phillip F. Newsom ("DMN")
As transferred to DMN from the City of Columbia's Municipal Court ("CMC")
Summary Court No. L066971

City of Columbia, SC, **Respondent,**
v.
Marie Assa'ad-Faltas, MD, MPH, **Appellant.**

ABRREVIATED RECORD ON APPEAL in seven volumes

Volume V: Continued Evidentiary Documents in *ascending* Chronological Order

Sincerely submitted and served on 11 October 2023, God willing, by:
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

Other Counsel of Record:
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Counsel for Respondent, the City of Columbia, SC ("*the City*")
City of Columbia, Legal Dept.
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OCT 11 2023
SC Court of Appeals



CITY OF COLUMBIA
SOUTH CAROLINA

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

January 12, 2010

Mr. David A. Fernandez, Esq.
Assistant City Attorney
Legal Department
P. O. Box 667
Columbia, SC 29202



Dr. Marie Assa'ad Faltas, MD, Phd.
304 Byron Road, Apt. 3
Columbia, South Carolina 29209

CERTIFIED MAIL

Re: Motions Concerning Jury Trial Cases

Dear Mr. Fernandez and Dr. Faltas:

Please be advised that the Municipal Court has scheduled a motions hearing on March 3, 2010 to resolve motions filed by Dr. Marie Assa'ad Faltas on January 20, 2010. A copy of the motions filed with the Court on that date is attached hereto. Please be advised that a hearing on these matters will be held on Wednesday, March 3, 2010 at 9:00 a.m. in Courtroom 2, 811 Washington Street, Columbia, South Carolina before The Honorable De Andrea G. Benjamin.

Please call me with any questions or concerns.

Sincerely,

Dana D. Turner
Chief Administrative Judge

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JAN 20 2010

MUNICIPAL
COURT

Marie Assaad-Faltas, MD, MPH

304 Byron Road, Apt #3, Columbia, SC 29209

Phone and on-demand-fax (803) 783-4536 (temporarily unavailable)

Cell: (330) 232-4164 (Please use)

28 January 2010

Re: Motions Concerning Jury Trial Cases in Which
I am either a Witness or a Defendant.

To the Municipal Court and the Municipal Prosecutor for the City of Columbia:

- ① This series of motions and requests does not supersede; but by reference incorporates and reiterates all matters in my previous written submissions to this court and all my FOIA requests to the City of Columbia.
- ② As to the case against me for alleged front-yard parking, I move that it be dismissed because the ordinance is unconstitutional, because I was selectively prosecuted, and because my speedy trial rights have been violated as it has been more than six months since the remittitur from the appeal but the City did nothing to prosecute me.
- ③ As to the alleged assault charge against me by Dinah Steele, I move that it be dismissed because, on 17 November 2009 the prosecutor did make full disclosure but withheld at least two very significant exculpatory items:
 - Ⓐ The driving record of alleged witness Charlene Crouch, which record had been obtained by Investigator Blanton on 4 Nov. 2009. That record shows a history of substance abuse by Crouch that resulted in the suspension of her driver's license for at least 6 months at least once.
- ④ The 911 call by alleged victim Dinah Steele where she does not mention assault at all but complains only of trespass.

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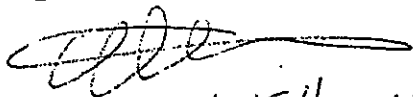
JAN 28 2010

MUNICIPAL
COURT

Page 2 of 2 3 / 85

- ④ As to the alleged trespass charge against me, I move that it be dismissed as a matter of law as I cannot possibly trespass where I live.
- ⑤ As to the alleged unlawful use of telephone against me, I move that the charges be dismissed because the arrest was by an officer who did not witness the alleged misdemeanor and because the City has refused to produce the recording of the call to dispatch on 12 Dec 2009. Those tapes show that I did not use abusive language. And, in any event, the statute does not criminalize abusive language and is unconstitutional anyway.
- ⑥ I request that all the above motions be scheduled expeditiously but not before Municipal Judges Turner, Benjamin or Burns because of conflicts of interests.
- ⑦ I request a copy of the tapes of each and every time I appeared in Columbia Municipal Court from and including September 2009 to January 2010.

Submitted and served on Assistant City Attorney Fernandez either by hand-delivery to his office location or hand-delivery in the Municipal Court Building at 811 Washington Street, Columbia, SC 29209, all on 28 January 2010.


Marie Assaad-Faltas, MD, MPH
Defendant pro se

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

CITY OF COLUMBIA

U.

MARIE ASSA'AD-FALTAS, MD, MPH

IN THE MUNICIPAL COURT
OF THE CITY OF COLUMBIA

MOTIONS TO DISMISS THE CHARGE
AND ENTER A FORMAL ACQUITTAL IN THIS CASE
Or, in the alternative, for a continuance of this case

Defendant *pro se* hereby moves this Honorable Court to dismiss the charge of trespass after notice because Defendant cannot possibly trespass in her own front yard, parking lot, or near her mail box, which is in the right of way anyway and not subject to trespass. Additionally, no valid trespass notice was, or could have been, given to her prior to, on, or even after, the date of the allegation since the alleged trespass occurred in the very area where Defendant rents, her rent was fully paid on the date of the allegations, and no final order of eviction had then been, or is yet, issued against her on the date of the allegations. The charge of simple assault should be dismissed because of the Prosecution's failure to check the veracity of its witnesses and to admonish the police to include exculpatory facts in the report. Indeed, the Prosecution plans to use false witnesses and fabricated evidence as it had done before against this very defendant. Further, it appears the Prosecution conspired with its witnesses to prevent Defendant from receiving timely notification of the trial date.

Even if the charges are not dismissed, the case should be continued until Defendant has had a chance to receive and study all exculpatory material from the Prosecution.

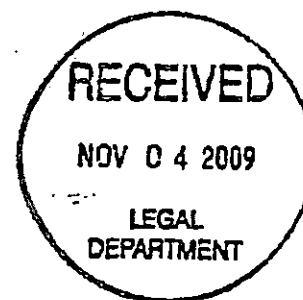
Respectfully submitted on 4 November 2009.


Marie-Thérèse Assa'ad-Faltas, M.D., M.P.H., Defendant *pro se*
304 Byron Road, Apt 3, Columbia, S.C. 29209
Telephone and on-demand fax-receive only: (803) 783 - 4536.

Certificate of Service

I served this document by hand-delivery to Mr. Fernandez in open court or by hand-delivery to the designated person at the location of the City of Columbia legal department on 4 November 2009.


Marie Assa'ad-Faltas, M.D., M.P.H., Defendant *pro se*



[page 1, line 1] STATE OF SOUTH CAROLINA) COURT OF GENERAL SESSIONS
 [2-3] COUNTY OF RICHLAND) 2010-GS-40-11980 2010-GS-40-11987
 [4] STATE OF SOUTH CAROLINA,) K-613792 K-613793
 [5] Plaintiff,)
 [6] vs.)
 [7] MARIE ASSA'AD-FALTAS,) TRANSCRIPT OF RECORD
 [8] Defendant.)
 [9-10] February 11, 2010
 Columbia, South Carolina

[13-14] BEFORE: THE HONORABLE CLIFTON B. NEWMAN, JUDGE.
 [17-19] APPEARANCES: HEATHER S. WEISS, ASSISTANT SOLICITOR Appearing for the Plaintiff
 [20] MARIE ASSA'AD-FALTAS, PRO SE
 [21-22] MARK A. SAWYER, JR., ASSISTANT PUBLIC DEFENDER
 Appearing as Standby Counsel for the Defendant
 [24] DEBORAH M. McCURDY, RPR
 [25] Official Court Reporter

[page 2, line 1] INDEX OF WITNESSES
 [3-4] (WHEREUPON, no witnesses were called during these proceedings.)
 [10] EXHIBITS
 [13-14] (WHEREUPON, no exhibits were introduced during these proceedings.)

[page 3, line 1] FEBRUARY 11, 2010

[2-3] The Court: Okay, the lady in the back has something. Yes, ma'am, tell us who you are.

[4-13] Dr. Faltas: Good afternoon, Your Honor. I'm Dr. Marie-Therese Assa'ad-Faltas. I am the *Pro Se* Defendant I heard Your Honor say that is scheduled for the week of the 22nd for several days. And actually through Mr. Strickler, who spoke with Judge Cooper, there are several many pending pretrial motions, of which a motion to compel discovery and a motion to recuse Ms. Heather Weiss because she has already made herself a witness in the case.

[14-18] The Court: Ma'am, before I hear anything further, let me find out if Ms. Weiss or the opposing side is here since you represent yourself. Can you find out if Ms. Weiss is at the Solicitor's Office?

[19-20] Assistant Solicitor: Certainly. I will be glad to, Your Honor.

[21 - page 4, line 5] Dr. Faltas: [21 - page 4, line 2] Certainly. I would like to wait. And I wouldn't have addressed Your Honor until two things happened, that Judge Cooper said he will not address any motions, and that I heard Your Honor say that is on your schedule. So now Your Honor is assigned trial judge, everything is up to Your Honor. [3-5] And of course there is one other substantive matter that I will wait for Ms. Weiss, or whoever from the Solicitor's Office, to come here.

[6] The Court: We'll see if we can locate her.

[7] Dr. Faltas: Thank you very much.

[8-10] The Court: You're welcome. We will be at ease for a few minutes as we wait for Ms. Weiss to come.

[11] (Pause.)

[12-17] The Court: Ms. Weiss and Dr. Faltas. Ms. Weiss, Dr. Faltas said she discovered that I'm scheduled to hear her case on the 22nd, and she proceeded to -- she began to talk about certain matters regarding the case, and I told her that I could not discuss anything on an *ex parte* basis.

[18 - page 5, line 18] Dr. Faltas: [18-22] And I wasn't trying to, Your Honor. I was just trying to bring to Your Honor's attention that Judge Cooper said he would not hear anything and that he named Your Honor as trial judge. It is all up to Your Honor. [23 - page 5, line 2] The threshold matter which needs to be discussed, very respectfully, and that is out of respect for any judge before whom I am to appear, is to look at the biography. And Your Honor's wife's maiden name is Blanton. [3-5] The investigator who, along with Ms. Weiss, signed the affidavit for the search warrant and the arrest warrants is Blanton. [6-13] So I need to ask as a threshold matter, because this is something we need to determine now, not at the last minute before trial, if there is a relationship. Or even if there isn't, in my right to zealously cross-examine my accusers and confront them, I will be stating that investigators who many times -- and of course I have reason to believe that she lied at a trial and everything. [14-15] So, Number 1, is there a relationship between Your Honor's wife and Investigator Amanda Blanton. [16-18] Number 2, even if there weren't, would that be emotionally hard on Your Honor to hear the similar name disparaged.

[19-21] The Court: Okay. My wife has no relatives in South Carolina by the name of Blanton that she or I am aware of.

[22-23] Dr. Faltas: The second part about the name of Blanton being disparaged.

[24-25] The Court Reporter: I'm sorry, you need to speak up.

[page 6, lines 1-4] Dr. Faltas: I said the second part about the Blanton name that would just happen to -- would that offend Your Honor if I were to be zealously examining --

[5] The Court: No, it would not.

[6-22] Dr. Faltas: [6-11] All right, thank you. The other thing is, does Your Honor have any other reason -- and in *Liteky versus U.S.*,

that is a U.S. Supreme Court case where Justice Scalia wrote for the Court that there is no such thing as the Extrajudicial Source Doctrine. ^[12:16] There is the -- there is -- the law requires a judge to recuse him or herself even if within the trial, intra-judicially, the judge develops antipathy towards the parties -- a party or a party's lawyer. ^[17:22] And I ask this question because actually, Your Honor, judges are the only profession that have a book named after them in the Bible. But before judges are judges, they were lawyers. And would Your Honor have any antipathy towards me, for instance, on my representing myself?

^[23:24] **The Court:** No. You have a constitutional right to represent yourself.

^[25 - page 7, line 1] **Dr. Faltas:** That -- I agree with that, but some people develop antipathy towards --

^[2:31] **The Court:** No, I have no antipathy towards you for representing yourself.

^[4:6] **Dr. Faltas:** Thank you, Your Honor. Do you have any antipathy against me for any other reason? Or do you think some may develop?

^[7:8] **The Court:** I can't anticipate what might develop, but I'm not aware of any.

^[9 - page 12, line 10] **Dr. Faltas:** ^[9:12] Thank you, Your Honor. The other thing is I do not look good, and part of that is the I have been exiled from my own apartment for more than two months now. ^[13:14] I have -- that was a condition of the bond. And I have requested Judge James to reconsider it. ^[15:17] And in his order he said that that is all he has to do, anything else would be addressed by the chief administrative judge or his designee. ^[18 - page 8, line 1] There was an issue about Judge G. Thomas Cooper's recusal because on other matters he had ruled unfavorably against me and I appealed. And I argued myself orally. I did my own oral argument *pro se* before then Judge Beatty, who is now Justice Beatty, Judge Huff, and now retired Judge Ralph King Anderson, and I prevailed unanimously. So there was an issue of whether Judge G. Thomas Cooper should recuse himself. ^[2:5] So in any event, he assigned the case to Your Honor. So for practical purposes Your Honor is not only the trial judge, but the administrative judge for the purpose of this case. ^[6:12] So I appealed Judge James' ruling that I cannot go back to my apartment. I think it is a horrendous violation of the Eighth Amendment prohibition against excessive bail. It also violates the constitutional presumption of innocence, and, again, the Eighth Amendment prohibition against cruel and unusual punishment. ^[13:16] So while it is on appeal, that ruling of Judge James, I can ask the Court of Appeals to lift those conditions, but I need to first make that motion at the trial court level. ^[17 - page 9, line 2] And what I'm asking, if it pleases the Court, is both in order for me to properly present the motion in conjunction with that appeal and also for me to have a fair trial for no other reason than that I would look presentable to the jury, and I'm sure I don't look presentable to Your Honor now, but do look beyond my outer appearance and focus on the quality of my legal argument and the quality of my character that will come through the evidence and also in the arguments I am going to make to Your Honor. ^[3:7] So I would like Your Honor to lift the condition of the bond that says that I cannot return to my apartment at least from now until the trial so that I may have access to what I need to get a fair trial. ^[8:11] And that condition is so very unreasonable and totally violative of the Eighth Amendment prohibition and the Eighth Amendment to the United States Constitution. ^[12:18] The other thing I would like to say, Your Honor, is that I have been very disappointed so far with what I have seen in the South Carolina Criminal Justice System, at least at the General Sessions level. The bond hearings and all of that, they really amount to deprivation of property and liberty without a rudiment of due process of law. ^[19:23] There was a bond hearing before Municipal Judge Burns. I was not informed of her conflict of interest, and my false accusers spoke falsely without oath or affirmation, and I was not allowed to cross-examine them. ^[24 - page 10, line 2] And, again, before Judge James two hearings, again my false accusers came and spoke, and spoke falsely, without any oath or affirmation, and I was not allowed to cross-examine them. ^[3:9] The only judicial officer who heard anything under oath with an opportunity for cross-examination so far is the Honorable Alison Renee Lee. And that is in the civil case for housing discrimination and interference with my civil rights to live where I want and to build on my own land. ^[10:33] I attached the Honorable Judge Lee's order to motions. And that's why I asked that the file be brought to Your Honor directly from the Clerk of Court so there is no break in the chain of custody. ^[14:18] The only judicial officer who heard testimony under oath with the opportunity to cross-examine, Her Honor found basically that those criminal charges were brought for the Defendant in the civil litigation to gain an unfair advantage situation. ^[19:21] Her Honor found as a matter of fact that they were -- the landlady and her husband set me out of my residence and disparaged my national origin. ^[22:24] I testified. And I have tapes if the Court will listen. These are their words, not mine. "Go back to where you came from, you Egyptian bitch." ^[25 - page 11, line 5] These are the tapes that I have as evidence -- or had as evidence in my civil rights case against them and that Ms. Weiss and Investigator Blanton went and swore false arrest warrants and search warrants against me in order to deprive me of that evidence. ^[6:10] They took from my home, Your Honor, and my car -- and that is in the Honorable Judge Lee's order -- everything, that is the tape, a camera, film, a picture, a computer, a video, a video player. ^[11:18] To show Your Honor the cruelty, it is as if Stalin and Saddam Hussein and the Taliban rolled into one. It is not as if -- and throw King George into the mix. It is not as if I were living in America, it is as if I were living under the colonial rule of King George or under Joseph Stalin. I don't think even there and then it was so bad. ^[19] And what are they accusing me of, Your Honor? ^[20:25] They are accusing me -- and that is something they themselves produced -- that once I overheard my neighbor verbally abuse another neighbor across the street and I later told the abusive neighbor that if she loved God she should go and apologize to the other neighbor that she abused. ^[page 12, lines 1-4] For that, Your Honor, I was arrested. I was required to undergo mental examination. I was not allowed to leave the prison until the mental examination take place. ^[5:10] And just so Your Honor knows, I'm a medical doctor. I also hold a master of public health degree from the other Carolina, the blue one, Chapel Hill, which I got on a Fullbright Scholarship. I speak four languages. And I'm a Coptic Orthodox Christian.

[1:1-12] **The Court:** I didn't hear the last part of what you said.

[1:3-24] **Dr. Faltas:** [1:3] I am a Coptic Orthodox Christian. [1:4-18] The oldest continuing church in the world is the Coptic Orthodox Church. Saint Mark preached his gospel in Egypt and he was martyred in Egypt. And his martyrdom was the foundation of the Coptic Orthodox Church. [1:9-23] So when people in jokes say, is the Pope Catholic? Not necessarily. There is a Coptic Orthodox Pope. The Pope in Rome is a successor to Saint Peter. The Pope in Alexandria, Egypt is a successor to Saint Mark. [2:4] But I go back to the motion.

[2:5] **The Court:** Okay.

[page 13, line 1] **Dr. Faltas:** They have taken --

[2:5] **The Court:** Just in the interest of equal time and economy of time, I need you to quickly come to a close so that I can hear what Ms. Weiss has to say in response to what you have been saying.

[6:1-17] **Dr. Faltas:** [6:1-11] Okay. I have initially filed a motion to suppress the arrest and search warrant, not because they uncovered anything inculpatory, but because everything they took from me is either irrelevant or exculpatory, and they refuse to give it back to me. [12-13] Number 2, once the case was indicted, I filed a motion to quash the indictment on several bases. [14-15] Number 1, that the statute is unconstitutional from top to bottom. [16-17] Number 2, that there is a horrendous irregularity possibly --

[1:8] **The Court:** Horrendous?

[1:9 - page 15, line 2] **Dr. Faltas:** [1:9-20] Irregularity possibly in the composition of the Grand Jury. [2:1-24] It appears the Grand Jury foreperson is a tenant of the very landlady whom I'm suing for housing discrimination and who pretends that she is a victim of my harassment. [2:5] So that is like no, no, no, no. [page 14, lines 1-7] The two other bases are that the very notes from Investigator Blanton show that she knew her witnesses were lying and she suppressed that, both to the City Ministerial Recorder, who is not really a neutral magistrate, to get the search and arrest warrant. She again testified falsely about it to the municipal judge who heard the probable cause. [8-10] And of course I do not have access to the Grand Jury proceedings, but it is very likely that she perjured herself to the Grand Jury. [11-13] And of course we know that people shouldn't do that. We have seen President Clinton do it in our lifetime. [14-18] The other prong of my challenge to the indictment, that it is totally non-specific, it is a fill-in-the blank. "Or other acts." I do not know what I am supposed to be defending against. So it is totally void for vagueness. [19-20] And then in addition to that, Ms. Weiss should be recused for several reasons. [2:1] Number 1, she is a witness. [2:2-25] Number 2, she is rushing me in order to acquire for herself absolute immunity. The law as it stands now, a prosecutor enjoys only qualified immunity until the trial stage. [page 15, lines 1-2] There was an important case of Pottawattamie County of Iowa.

[3:1] **The Court:** Can you spell that word?

[4] **Dr. Faltas:** [4] Yes, Your Honor. [5-6] P-O-T-T-A-W-A-T-T-A-M-I-E County of Iowa versus McGhee, M-C-G-H-E-E. [7-11] That was argued before the United States Supreme Court on November 4th, 2009. The transcript of the oral argument is available at the U.S. Supreme Court website, and that is SupremeCourtUS, one word, dot gov. [12-18] After the case was argued, the case was settled, it was dismissed pursuant to U.S. Supreme Court Rule 46. The case number is 08-1065. So we may never know, at least from that case, whether the United States Supreme Court will approve absolute immunity for prosecutors who framed a man for murder. That is what that case was about. [19-21] In our own lifetime, we have seen people framed. We have seen Mike Nifong of North Carolina--

[22-23] **The Court Reporter:** I'm sorry, I didn't understand that.

[24] **The Court:** Mike Nifong of North Carolina.

[25 - page 16, line 8] **Dr. Faltas:** [25 - page 16, line 3] Yes. Thank you, Your Honor. He framed a Duke lacrosse player for rape and continued to press the charges even after the DNA was not from them. [4:5] We have seen the late singer Michael Jackson falsely accused of child molestation. [6-8] Even in South Carolina Cardinal Joseph Bernardin was also falsely accused of child abuse or something.

[9-10] **The Court:** Are you still wrapping it up to a close so I can give Ms. Weiss a chance to respond?

[11-13] **Dr. Faltas:** Yes. So I am saying that I have a right to a Franks versus Delaware hearing before the trial starts.

[14] **The Court:** What kind of hearing?

[15-16] **Dr. Faltas:** Under the U.S. Supreme Court case of *Jerome Frank versus Delaware*.

[17] **The Court:** Delaware. *Franks versus Delaware*.

[18 - page 17, line 25] **Dr. Faltas:** [18 - page 17, line 2] Yes, Your Honor. Yes, Your Honor. When I make a prima facie showing -- and that is why you have this thick file, it is thick with a bit of my prima facie showing that the arrest and search warrants were obtained, Number 1, with outright perjury; Number 2, with suppression from the issuing City Recorder of information that, a neutral magistrate here, if she had it before her, would not have issued the search and arrest warrants. [3-7] So, as I said, I'm entitled to challenge all of that before the trial starts and before absolute immunity under current rule attaches to the same prosecutor who was party to the fraud and deprivation and framing of me. [8-19] I discovered what interest Ms. Weiss would have in framing me, and that is because her father is one of the 200 or so select lawyers at law firms who profit from South Carolina's Insurance Reserve Fund here, and I have had occasion to try to challenge that scheme before. That scheme cost our state about \$30 million each year. And it is like if you select a private firm -- every other -- in every other state the Attorney General does the State's work, but in South Carolina he farms it out to private lawyers who in turn give him campaign contributions, and it is a grand scheme. [20-24] Ms. Heather Savitz is the daughter of Stephen Savitz. He is one of the lead firms that profit from that scheme. And that is why she has a vendetta against me. So I intend to challenge all of that before trial.

[25] Thank you.

[page 18, line 1] **The Court:** All right. Thank you.

[2:10] **Dr. Faltas:** Oh, I'm sorry. I also didn't get complete discovery. And then she gives me stuff like this, and I try to play it. Sometimes it doesn't play. I want to be able to play it without breaking the chain of custody because I'm sure she will contend she gave it to me in playable condition, and if it doesn't play, then she will say that Dr. Faltas tampered with it. So I want to have court supervision --

[11:12] **The Court:** What is that? Is it a DVD or a CD or --

[13 -- page 19, line 18] **Dr. Faltas:** [13:18] I have no idea. I think it is a CD with calls to dispatch, but they have previously given me things that were unplayable and when I went back and said they aren't playable, they said, "oh, but they were playable when we gave them to you." [19:20] That is why I want everything under court supervision without the break of the chain of custody. [22:24] So if they give me tapes, I want some procedure where we open them and play them without my breaking the chain of custody. [25 -- page 19, line 6] And then there is a whole lot of normal discovery which was timely sought, like the criminal records of her alleged witnesses and alleged victims. They gave me things with missing pages. A whole lots of things which I enumerated in my motion to compel discovery. None of it helped me. [7:10] Just a few minutes ago she sprung this on me, but I have no idea if any of this is playable. And it definitely is a minute portion of what she owes me. [11:17] So I cannot get a fair trial, if there is going to be a trial, because I am very, very hopeful that if Your Honor listens to an open -- with an open mind at my challenge to the constitutionality of the statute, Your Honor will find that the statute is totally unconstitutional both on its face and applied to. [18] And I very much thank you.

[19] **The Court:** All right. Ms. Weiss?

[20 -- page 24, line 21] **Ms. Weiss:** [21:23] Thank you. Your Honor, may it please the Court? First of all, obviously I had no idea that this motion or this hearing was going to take place, so there are no victims notified. [24 -- page 20, line 4] Some of the requests for relief that Dr. Faltas is asking for, such as a reconsideration of Judge James' order to return to her residence, I would ask that Your Honor not consider it at this time. That was an appropriately made motion. It was made before Judge James. [5:12] Judge James also -- that was before the holidays -- after the holidays he heard a reconsideration in Sumter. We all went to Sumter for that. The victims were notified and were present for that. I would ask that Your Honor not entertain that at this time because the victims have not been properly notified, as well as myself, that that was going to be heard today. [13:20] Secondly, my understanding is -- and this was in my office or given to me from my office that Judge Cooper has made a notice of the trial, it is scheduled to be heard, notice of hearing for Dr. Faltas on February 22nd, and it indicates that all motions related to these indictments will be heard at that time. I would ask Your Honor to do that at that time on February 22nd. [21 -- page 21, line 3] **We have attempted to expedite this trial.** As Your Honor is well aware, we have a tracking system. Typically this would have gone under the tracking system. Dr. Faltas has currently only had a first appearance. She was arrested on December 2nd. She came to her first appearance in January and we did go on through the appearance system. [4:9] We have tried to expedite this. Due to the number of motions that Dr. Faltas is filing, and those motions seem to be most appropriately heard pretrial, and it would make the most sense to be heard by the trial judge prior to the trial starting. [10:15] **So, Your Honor, in agreement with Judge Cooper, as well as Dr. Faltas on the record, we have attempted to find a court date where we could go ahead and hear this case. And that date now has been set as February 22nd, and Your Honor has agreed to hear that case.** [16:20] So that is why we're going forward in such a quick manner, not because of anything -- any ideas that I have or anything anybody is trying to do anything to Dr. Faltas. In fact, we are trying to accommodate Dr. Faltas in all of her motions. [21 -- page 22, line 2] As far as the evidence, Dr. Faltas has been -- they did do a search warrant. I did not do the search warrant, Your Honor, but there was a search warrant done by the City. Lots of things were taken from her apartment that could have been involved in a harassment suit, in a harassment case. [3:7] A lot of those items the investigator has had the opportunity to go through and has tried to return them to Dr. Faltas, and she has refused to take them. They have been signed off to her. She has gone down there and refused to take them. [8:13] **The two computers she talked of, the camera she spoke of, as well as numerous cassette tapes, VHS tapes, numerous things that were believed to possibly have contained evidence of harassment have now been found not to contain that evidence and have been attempted to be released back to her.** [14] She has refused to take custody of those. [15:25] When Your Honor called me, I actually was at the City of Columbia going through the evidence. I am trying to prepare for this trial, which is now just over a week away. So I was actually down there trying to go through that evidence. **The more evidence we go through, we may even have more things to return to Dr. Faltas, but at this point I need the opportunity to go through and decide what is going to be evidence in my case in chief once I go to try this case on February 22nd.** And that is where we stand as far as that. [page 23, lines 11-13] As far as discovery, I turned over everything in my file. We have turned over -- we have released numerous things back to Dr. Faltas, and I'm not sure -- she will have the opportunity -- Mark Sawyer is her standby counsel. I had talked with him about hopefully on Tuesday being able to go to the City and giving her the opportunity to look through everything that was down there, but that was with the understanding that I would have the opportunity to go through it before then, so that she could go through all the evidence that is down there that I intend to use in my case in chief. [14:24] And as far as the -- she did state that she had some incomplete discovery, that she has first pages, and not second or third. Your Honor, without anything more descript I cannot know what she is referring to. Of course I would attempt to make her whole on any discovery that she feels she is missing. We have asked her numerous times to put in writing what those things are, I have asked her three other standby counsel to put those things in writing and I would try to figure those out at the time. [25 -- page 24, line 6] As of this moment I still have not received a complete list of anything she thinks she is missing as far as discovery is concerned. I did receive a motion that she filed and it has some broad explanation of what she believes she is missing, but nothing

specific that I could actually respond to. [17:18] The tapes that she has there were copied. They were copied with the other discovery. They actually are not relevant to the case that we are going forward on on February 22nd. Those are calls that occurred after that case. But I'm turning them over to her just because they are in my case file and I believe in having an open case file, and our office has an open case file policy, so I believe in turning it all over to her, but they are not actually relevant to the case we are planning to hear from the incidents that occurred prior to the December 2nd arrest. [19:21] If is there anything further -- I know there was a lot discussed -- that I'm leaving out that Your Honor would like me to speak to?

[22] **The Court:** No.

[23 - page 25, line 1] **Ms. Weiss:** Okay. Thank you. And I would just ask that you deny making any -- not make any rulings at this time, withhold everything for February 22nd, Your Honor.

[2 - page 28, line 15] **Dr. Faltas:** [2:9] Your Honor, first of all, I think I explained clearly that what I'm asking is not that you would reconsider Judge James' ruling, but that you -- that I am making the motion to lift it pending appeal, which I'm required to make at the trial court before I go to the Court of Appeals and tell them, "lift it." They will say, "well, did you ask the trial court?" [10:16] So of course I'd like Your Honor to grant it, but if you don't, I need, not that you refused to rule, but that you make your ruling so I can go to the Court of Appeals and say on this narrow issue of the excessive bail and the deprivation of my property without due process, I tried at the trial court level first. So that is one thing. [17:20] The other thing is, she doesn't get to give my property, which is exculpatory, to me and return it to me at the morning of the trial and say, I am -- you are going to have a fair trial. [21 - page 26, line 1] First off all, she took things that cannot possibly be evidence of any crime. Some of them were recordings of court hearings where the alleged victims testified, and I need them to prepare to cross-examine them to -- with prior inconsistent statements. [2:10] Frankly, I think they took all of this from my house in order to damage them. The reason I refused to pick up things is that these are things that I cannot -- just the same way here. Can I tell whether this tape is playable? Can anyone tell whether this tape is playable, whether it is audible, or even if there is a tape in it? And the moment I open it I would have broken the chain of custody. [11:20] So all I ask is a procedure under which whatever it is they are offering to return to me I can test without breaking the chain of custody whether they are damaged, because that search warrant was a general warrant which was what the King's men used to do before the American Revolution. It was -- and also the U.S. Supreme Court in the case of *Stanford versus Texas* addressed exactly that same issue and said it was a general warrant. [21 - page 27, line 6] They don't get to take everything in my apartment and then say, we'll hold on to it and then we'll give it to you on the morning of the trial. They don't get to do that. And I am very suspicious that they have -- in fact, I visually saw what they damaged my computer keyboard. I visually saw that. I don't know if they damaged the two computers they took from me. And there was nothing in the search warrant that was particularized or gave any probable cause that those computers contained evidence of any crime. [7:10] But in any event, they took my things to damage them and now they want to return them to me or pretend to return them to me. I have no idea if they have damaged all the things they took from me. [11:13] I cannot tell from this video that -- there was not a video, but if you have a video you cannot tell what is on it. [14 - page 28, line 2] I need conditions well before trial where I can test every single thing. For example, they took two cameras from my house. They have film in them. They got the film processed. There was nothing in the film -- in the film. It was a picture, Number 1. That is damaged. But that is not important. What is important is the exculpatory material that they have withheld from me and that they may be damaging, and yes, I will not accept anything that I cannot test without breaking the chain of custody, because they will -- as they have lied so much about me so far, they will say, "we gave it to her in good condition and she damaged it." [3:5] So all I'm asking is for a process, starting with these three whatever that she just gave to me, that they can be played without breaking the chain of custody. [7:15] And definitely that that be done long before the trial date because I cannot have a trial if they turn over my -- the evidence. I don't even know who the witnesses are. They have not turned over the alleged witnesses' rap sheets. They have not turned over the driving records of some of the alleged witnesses. These are things that are supposed to be there, and they have not turned them over.

[16:17] **The Court:** Have you provided discovery to Dr. Faltas?

[18:19] **Ms. Weiss:** Yes, Your Honor, we provided all available discovery to Dr. Faltas.

[20] **The Court:** Including witnesses' rap sheets?

[21] **Ms. Weiss:** No, Your Honor.

[22] **The Court:** And a list of witnesses?

[23:24] **Ms. Weiss:** She's got discovery. She knows who the witnesses are --

[25 - page 29, line 1] **Dr. Faltas:** No, I don't! You need to give me the list and --

[2] **FEMALE DEPUTY:** Ma'am!

[3] **Dr. Faltas:** I'm sorry.

[4] **FEMALE DEPUTY:** You can't do that.

[5:7] **Dr. Faltas:** Well, I'm sorry, I am talking to the judge, not to you, okay? If the judge wants to stop me, he will stop me, not you!

[8] **The Court:** Ma'am --

[9] Dr. Faltas: Okay.

[10] The Court: --- the judge is stopping you.

[11-12] Dr. Faltas: All right, thank you, Your Honor. And I will abide by Your Honor's ruling.

[13-14] The Court: Do not interrupt counsel when she is speaking.

[15-18] Dr. Faltas: I will abide by Your Honor, but I would like also Your Honor to admonish the court staff, who are not judicial officers, to not make rulings. Only Your Honor makes rulings.

[19] The Court: All right, thank you.

[20] Dr. Faltas: Thank you.

[21] The Court: Proceed.

[22 - page 30, line 7] Ms. Weiss: [22 - page 30, line 3] Thank you, Your Honor. At first the rap sheets -- I'm still obviously preparing for trial, I don't have a full witness list. By the morning of trial I will have all of the witnesses' rap sheets prior to the trial, and definitely prior to any of them taking the stand. So I'll have those prior to trial. [4-7] As far as driving records, I don't see how that is relevant to this case. I would have no -- I have no intention of running a driving record on my witnesses at this point.

[8] Dr. Faltas: Well, may I respond, please?

[9] The Court: After she is finished.

[10] Dr. Faltas: I thought she was done.

[11-17] Ms. Weiss: Your Honor, that is as far as the rap sheets and the witness list. She does have -- you know, everything I have in my file about who my witnesses might be she has. I'm still meeting with witnesses to determine my full witness list. I don't anticipate it will be very long, though, Your Honor.

[18] The Court: All right. Yes, ma'am?

[19 - page 31, line 15] Dr. Faltas: [19-22] Whatever the witness list is I'm entitled to have it before the trial date. And I'm entitled to have the rap sheet before the trial date. [23 - page 31, line 1] In addition, the driving records are very, very relevant because one of the exotic charges that they put against me is that I was blocking them with my car. [2-5] And that is one thing that I would also tell Your Honor, if there is going to be a trial, I request that Your Honor make preparation for the jury to view this site. The place has two very wide exits. [7-15] And part of the harassment that they were perpetrating against me, Your Honor, I know the Bible well. Potiphar's wife propositioned Joseph, and when he turned her down, she went to her husband and falsely accused Joseph of propositioning her. And I think of myself as Joseph. Joseph was a Hebrew in Egypt, I am an Egyptian in America. And I'm exactly going through what he's going through. [16-22] They harassed me. They called me the "B" word several times. They would all the time flip a finger at me. In fact, one of the reasons I took photographs is of them flipping a finger at me. And all I would do is cross myself and say the Lord's Prayer or say Hail Mary, and not respond to them. [23] And yet they falsely accuse me of doing those things. [24 - page 32, line 2] So the driving record is important. Those people were very dangerous drivers, have accidents, have substance abuse, have driver's license suspended. And they wanted to broadside my car. [3-7] All of this -- Judge, it is no different -- and I say the Civil Rights Era never ended. It is just different people. Back then it was African-Americans, now it is first generation immigrants. [8-11] And they keep on telling me, why don't you move from my apartment -- from your apartment; why don't you abandon the land that you want to build on. [12-17] Well, why didn't Rosa Parks get off the bus. Judge, a few days ago we were celebrating the events of a lunch counter sit-in. Why didn't the students get off the lunch counter. Because if they had, there would have never been equal rights for African-Americans. [18-21] And if I were to abandon my apartment and abandon my land and not build anything, there will never be equal rights for first generation immigrants. [22 - page 33, line 7] In fact, Your Honor, in the proposed -- in the proposed edition of the South Carolina Rules of Criminal Procedure, someone from the death penalty -- from the death penalty project got a transcript where one of the jurors on the death penalty case was a first generation immigrant. And because he wanted to make sure before voting for a death penalty the other jurors told him, you either vote with us or we will have you sent back where you came from. And that was in the transcript, and that is on the State Supreme Court's website. [8-11] So this, why don't you go back where you came from, this is not something that I am imagining, this is something that is going on. And I am insisting to stand up for my civil rights. [12-14] And in researching the constitutionality of the statute, of the harassment statute, I so -- would Your Honor like me to stop while you read it?

[15] The Court: Proceed, ma'am.

[16 - page 34, line 25] Dr. Faltas: [16-20] Thank you, Your Honor. Back then it was a nebulous and amorphous trespass or breach of the peace statute. These are nebulous, amorphous statutes that are classically used to suppress minorities who stand up for their rights. [21-25] So I am entitled to have specific -- specific names, specific charges, specific evidence well ahead of trial, or I'm entitled for the whole thing to be dismissed because there is absolutely no competent evidence. [page 34, lines 1-5] And I am also entitled to ask that Ms. Weiss be recused because, Number 1, she has made herself a witness. The alleged victim is I believe her hairdresser and has been her hairdresser for a while. [6-8] And in any event, Ms. Weiss made herself a witness by swearing in the search warrant and the arrest warrant. [9] And if Your Honor wants to see all the details on February 22nd, I would say that it would be too late for me to receive that on the morning of the 22nd and then get a fair trial that day.

[13-14] The Court: All right, under the Victim's Bill of Rights -- you may be seated, ma'am.

[15] *Dr. Faltas*: Thank you.

[18 - page 35, line 17] *The Court*: [16-23] Under the Victim's Bill of Rights, the victims have a right to be informed of and present at any criminal proceedings which are dispositive of the charges where the Defendant has the right to be present. They have a right to be heard at any proceeding involving a post arrest release decision and to be reasonably protected during -- throughout the criminal justice process. [24 - page 35, line 2] I am not going to proceed with hearing any matters, making any decisions concerning anything in this case, other than perhaps regarding discovery on this date. [3-4] This case will come up on the 22nd, at which time the pretrial motions will be discussed. [5-8] Concerning the matters ruled on by Judge James, I do not have the authority to change or modify any decisions made by another Circuit Court Judge. [9-12] Regarding the issue of discovery and the witness list, the Defendant has the right to receive discovery from the State concerning witnesses who are expected to testify in the trial. [13-17] It appears that the Defendant was fully engaged and perhaps already knows all of the parties and the possible witnesses, but a list must be given to the Defendant. Have you given her a list already, Ms. Weiss?

[18-23] *Ms. Weiss*: [18-19] Your Honor, I have not given her a list because I'm still preparing that at this time. [20-23] I still have -- I have a meeting that will be a major contributor to that tomorrow afternoon, so it will be next week before I would have any sort of real list to give her.

[24-25] *The Court*: The State must produce a list of witnesses by 5:00 p.m. on Monday.

[page 36, lines 1-2] *Ms. Weiss*: Your Honor, I will not be here on Monday, it is a state holiday.

[3-4] *The Court*: Monday is a state holiday. It is a state holiday.

[5] *Ms. Weiss*: Yes, Your Honor.

[6] *The Court*: Tuesday at 5:00 p.m.

[7] *Ms. Weiss*: Thank you, Your Honor.

[8-9] *The Court*: The courts are closed Monday, I guess.

[10] *Ms. Weiss*: Yes, Your Honor.

[11] *The Court*: State holiday. Tuesday at 5:00.

[12] *Dr. Faltas*: And if she doesn't?

[13-15] *The Court*: If she doesn't we'll address that at -- if she doesn't, I don't give anticipatory rulings.

[16-18] *Dr. Faltas*: Well, then what I am also saying is the other material that they took is exculpatory, and I need it.

[19-23] *The Court*: The State must provide the Defendant with all exculpatory materials, whatever that might be, but that involves a subjective determination by the State as to what is exculpatory.

[24 - page 37, line 2] *Dr. Faltas*: And I am saying everything that they took from my house and my car is exculpatory, and they have to return it. They can copy it if they want.

[3-4] *The Court*: I am not going to address that issue today.

[5-8] *Dr. Faltas*: Well, then if it pleases the Court, I'm going to say that if it gets addressed only at the morning of the trial, then already my fair trial rights would have been --

[9-10] *The Court*: You'll need to address that at that time.

[11-15] *Dr. Faltas*: All right. Now, will there be an order or may I ask -- I have qualified for indigent defense and Judge Cooper has already allowed -- of course, he didn't know that you were going to have this hearing.

[16] *The Court*: We haven't had a hearing.

[17] *Dr. Faltas*: What are we having?

[18-23] *The Court*: [18-20] I'm hearing -- you are requesting a hearing. She's objecting to that. We're not -- I'm listening to you talk more than anything. [21-23] We're not having a hearing because I'm not going to entertain anything without the victims being present.

[24 - page 38, line 1] *Dr. Faltas*: Well, the alleged victim, Your Honor. There is a presumption of innocence. And I don't think they are victims at all, but --

[2-4] *The Court*: They are defined by law as being victims, and you are correct, they are alleged victims, but we are not here before the jury.

[5] *Dr. Faltas*: Your Honor --

[6-7] *The Court*: In two minutes we are going to recess this hearing.

[8] *Dr. Faltas*: Yes, yes, but --

[9] *The Court*: Because I have a jury out.

[10] *Dr. Faltas*: Oh. Oh.

[11-15] *The Court*: And you all have miraculously appeared out of nowhere, in the middle of my trial, concerning this matter that I know nothing about. In two more minutes I am going to not discuss it any further.

[16-18] *Dr. Faltas*: Yes. I just need Your Honor to order the transcript -- not to order, but to allow me to have the transcript, or whatever you call it.

[19-20] *The Court*: I'm not going to order a transcript of today's hearing.

[21-22] Dr. Faltas: Not order, I mean to allow me to have it.

[23] The Court: Not without paying the cost of it.

[24] Dr. Faltas: Yes, I am allowed to do that.

[25 – page 39, line 2] The Court: I am not going to require the court reporter to provide a free transcript of what was stated in court.

[3-5] Dr. Faltas: Not free. It is not free. It is -- Judge Cooper allowed it to be a state expense, but it is not ---

[6-8] The Court: Well, whatever Judge Cooper has ordered, that is Judge Cooper's order. And you are asking me for an order, which I am not going to do.

[9-10] Dr. Faltas: All right, then I am going to. I thank you, Your Honor, then.

[11] The Court: Thank you.

[12-13] Ms. Weiss: I just have one clarification, very briefly.

[14] The Court: Yes.

[15-24] Ms. Weiss: [15-20] I just ask that any witness list I provide on Tuesday I may amend as my investigation continues through the Monday of trial. And I will just keep putting witness lists -- making them available to Mr. Sawyer and Dr. Faltas if anybody gets added. [21-24] And, finally, as far as the evidence, all I can do is make it available, the DVD's, if we decide anything should be turned back over, but that is the extent of what I can do, Your Honor.

[25 – page 40, line 3] Dr. Faltas: Your Honor, Mr. Sawyer is only my standby counsel, I am Pro Se. She needs to tell me -- she needs to give me things, not give them to him to give to me.

[4-5] The Court: Service of documents must be made on the Defendant, not on standby counsel.

[6-7] Ms. Weiss: Yes, Your Honor, I do it on both, just to be covered.

[8] The Court: All right.

[9] Ms. Weiss: Thank you, Your Honor.

[10] MR. SAWYER: Thank you, Your Honor.

[11] The Court: You're welcome.

[12-13] Dr. Faltas: It hasn't been decided, how do I test these?

[14-18] The Court: If there is a problem, then the problem is brought to the Court at the appropriate time, but I will not supervise your listening or watching or reading anything the State provides -- gives you.

[19-21] Dr. Faltas: Will Your Honor be at all available, of course not *ex parte* but with Ms. Weiss --

[22] The Court: I'll be available on the 22nd.

[23] Dr. Faltas: But not during chambers?

[24] The Court: Not before then.

[25] Dr. Faltas: Thank you, Judge.

[page 41, line 1] The Court: All right, thank you.

[2] Ms. Weiss: Thank you, Your Honor.

[3] (WHEREUPON, the proceedings were concluded.

[page 42, line 1]

CERTIFICATE OF REPORTER

[4-5] STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

[8-15] I, Deborah M. McCurdy, Official Court Reporter for the Fifth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Richland County, South Carolina, on the 11th day of February, 2010.

[16-17] I do further certify that I am neither of kin, counsel nor interest to any party hereto.

[18-19]

February 19, 2010

[22-23]

[s/] Deborah M. McCurdy, RPR
Fifth Circuit Court Reporter

[page 1, line 1]	STATE OF SOUTH CAROLINA	)	COURT OF GENERAL SESSIONS
[2-3]	COUNTY OF RICHLAND	)	2010-GS-40-11980
[4]	STATE OF SOUTH CAROLINA,	)	2010-GS-40-11987
[5]	Plaintiff,	)	K-613792
[6]	vs.	)	K-613793
[7]	MARIE ASSA'AD-FALTAS,	)	TRANSCRIPT OF RECORD
[8]	Defendant.	)	

[9-10] February 11, 2010
Columbia, South Carolina

[13-14] BEFORE: THE HONORABLE CLIFTON B. NEWMAN, JUDGE.
[17-19] APPEARANCES: HEATHER S. WEISS, ASSISTANT SOLICITOR Appearing for the Plaintiff
[20] MARIE ASSA'AD-FALTAS, PRO SE
[21-22] MARK A. SAWYER, JR., ASSISTANT PUBLIC DEFENDER
Appearing as Standby Counsel for the Defendant
[24] DEBORAH M. McCURDY, RPR
[25] Official Court Reporter

[page 2, line 1] INDEX OF WITNESSES
[3-4] (WHEREUPON, no witnesses were called during these proceedings.)
[10] EXHIBITS
[13-14] (WHEREUPON, no exhibits were introduced during these proceedings.)

[page 3, line 1] FEBRUARY 11, 2010

[2-3] The Court: Okay, the lady in the back has something. Yes, ma'am, tell us who you are.
[4-13] Dr. Faltas: Good afternoon, Your Honor. I'm Dr. Marie-Therese Assa'ad-Faltas. I am the *Pro Se* Defendant I heard Your Honor say that is scheduled for the week of the 22nd for several days. And actually through Mr. Strickler, who spoke with Judge Cooper, there are several many pending pretrial motions, of which a motion to compel discovery and a motion to recuse Ms. Heather Weiss because she has already made herself a witness in the case.

[14-18] The Court: Ma'am, before I hear anything further, let me find out if Ms. Weiss or the opposing side is here since you represent yourself. Can you find out if Ms. Weiss is at the Solicitor's Office?

[19-20] Assistant Solicitor: Certainly. I will be glad to, Your Honor.

[21 - page 4, line 5] Dr. Faltas: [21 - page 4, line 2] Certainly. I would like to wait. And I wouldn't have addressed Your Honor until two things happened, that Judge Cooper said he will not address any motions, and that I heard Your Honor say that is on your schedule. So now Your Honor is assigned trial judge, everything is up to Your Honor. [3-5] And of course there is one other substantive matter that I will wait for Ms. Weiss, or whoever from the Solicitor's Office, to come here.

[6] The Court: We'll see if we can locate her.

[7] Dr. Faltas: Thank you very much.

[8-10] The Court: You're welcome. We will be at ease for a few minutes as we wait for Ms. Weiss to come.

[11] (Pause.)

[12-17] The Court: Ms. Weiss and Dr. Faltas. Ms. Weiss, Dr. Faltas said she discovered that I'm scheduled to hear her case on the 22nd, and she proceeded to -- she began to talk about certain matters regarding the case, and I told her that I could not discuss anything on an *ex parte* basis.

[18 - page 5, line 18] Dr. Faltas: [18-22] And I wasn't trying to, Your Honor. I was just trying to bring to Your Honor's attention that Judge Cooper said he would not hear anything and that he named Your Honor as trial judge. It is all up to Your Honor. [23 - page 5, line 2] The threshold matter which needs to be discussed, very respectfully, and that is out of respect for any judge before whom I am to appear, is to look at the biography. And Your Honor's wife's maiden name is Blanton. [3-5] The investigator who, along with Ms. Weiss, signed the affidavit for the search warrant and the arrest warrants is Blanton. [6-13] So I need to ask as a threshold matter, because this is something we need to determine now, not at the last minute before trial, if there is a relationship. Or even if there isn't, in my right to zealously cross-examine my accusers and confront them, I will be stating that investigators who many times -- and of course I have reason to believe that she lied at a trial and everything. [14-15] So, Number 1, is there a relationship between Your Honor's wife and Investigator Amanda Blanton. [16-18] Number 2, even if there weren't, would that be emotionally hard on Your Honor to hear the similar name disparaged.

[19-21] The Court: Okay. My wife has no relatives in South Carolina by the name of Blanton that she or I am aware of.

[22-23] Dr. Faltas: The second part about the name of Blanton being disparaged.

[24-25] The Court Reporter: I'm sorry, you need to speak up.

[page 6, lines 1-4] Dr. Faltas: I said the second part about the Blanton name that would just happen to -- would that offend Your Honor if I were to be zealously examining --

[5] The Court: No, it would not.

[6:22] *Dr. Faltas*: [6:11] All right, thank you. The other thing is, does Your Honor have any other reason -- and in *Liteky versus U.S.*, that is a U.S. Supreme Court case where Justice Scalia wrote for the Court that there is no such thing as the Extrajudicial Source Doctrine. [12:15] There is the -- there is -- the law requires a judge to recuse him or herself even if within the trial, intra-judicially, the judge develops antipathy towards the parties -- a party or a party's lawyer. [17:22] And I ask this question because actually, Your Honor, judges are the only profession that have a book named after them in the Bible. But before judges are judges, they were lawyers. And would Your Honor have any antipathy towards me, for instance, on my representing myself?

[23:24] *The Court*: No. You have a constitutional right to represent yourself.

[25 - page 7, line 1] *Dr. Faltas*: That -- I agree with that, but some people develop antipathy towards --

[2:3] *The Court*: No, I have no antipathy towards you for representing yourself.

[4:6] *Dr. Faltas*: Thank you, Your Honor. Do you have any antipathy against me for any other reason? Or do you think some may develop?

[7:8] *The Court*: I can't anticipate what might develop, but I'm not aware of any.

[9 - page 12, line 10] *Dr. Faltas*: [9:12] Thank you, Your Honor. The other thing is I do not look good, and part of that is the I have been exiled from my own apartment for more than two months now. [13:14] I have -- that was a condition of the bond. And I have requested Judge James to reconsider it. [15:17] And in his order he said that that is all he has to do, anything else would be addressed by the chief administrative judge or his designee.

[18 - page 8, line 1] There was an issue about Judge G. Thomas Cooper's recusal because on other matters he had ruled unfavorably against me and I appealed. And I argued myself orally. I did my own oral argument *pro se* before then Judge Beatty, who is now Justice Beatty, Judge Huff, and now retired Judge Ralph King Anderson, and I prevailed unanimously. So there was an issue of whether Judge G. Thomas Cooper should recuse himself.

[2:5] So in any event, he assigned the case to Your Honor. So for practical purposes Your Honor is not only the trial judge, but the administrative judge for the purpose of this case. [6:12] So I appealed Judge James' ruling that I cannot go back to my apartment. I think it is a horrendous violation of the Eighth Amendment prohibition against excessive bail. It also violates the constitutional presumption of innocence, and, again, the Eighth Amendment prohibition against cruel and unusual punishment. [13:15] So while it is on appeal, that ruling of Judge James, I can ask the Court of Appeals to lift those conditions, but I need to first make that motion at the trial court level. [17 - page 9, line 2] And what I'm asking, if it pleases the Court, is both in order for me to properly present the motion in conjunction with that appeal and also for me to have a fair trial for no other reason than that I would look presentable to the jury, and I'm sure I don't look presentable to Your Honor now, but do look beyond my outer appearance and focus on the quality of my legal argument and the quality of my character that will come through the evidence and also in the arguments I am going to make to Your Honor. [3:7] So I would like Your Honor to lift the condition of the bond that says that I cannot return to my apartment at least from now until the trial so that I may have access to what I need to get a fair trial. [8:11] And that condition is so very unreasonable and totally violative of the Eighth Amendment prohibition and the Eighth Amendment to the United States Constitution. [12:18] The other thing I would like to say, Your Honor, is that I have been very disappointed so far with what I have seen in the South Carolina Criminal Justice System, at least at the General Sessions level. The bond hearings and all of that, they really amount to deprivation of property and liberty without a rudiment of due process of law. [19:23] There was a bond hearing before Municipal Judge Burns. I was not informed of her conflict of interest, and my false accusers spoke falsely without oath or affirmation, and I was not allowed to cross-examine them. [24 - page 10, line 2] And, again, before Judge James two hearings, again my false accusers came and spoke, and spoke falsely, without any oath or affirmation, and I was not allowed to cross-examine them. [3:9] The only judicial officer who heard anything under oath with an opportunity for cross-examination so far is the Honorable Alison Renee Lee. And that is in the civil case for housing discrimination and interference with my civil rights to live where I want and to build on my own land. [10:13] I attached the Honorable Judge Lee's order to motions. And that's why I asked that the file be brought to Your Honor directly from the Clerk of Court so there is no break in the chain of custody. [14:18] The only judicial officer who heard testimony under oath with the opportunity to cross-examine, Her Honor found basically that those criminal charges were brought for the Defendant in the civil litigation to gain an unfair advantage situation. [19:21] Her Honor found as a matter of fact that they were -- the landlady and her husband set me out of my residence and disparaged my national origin. [22:24] I testified. And I have tapes if the Court will listen. These are their words, not mine. "Go back to where you came from, you Egyptian bitch." [25 - page 11, line 5] These are the tapes that I have as evidence -- or had as evidence in my civil rights case against them and that Ms. Weiss and Investigator Blanton went and swore false arrest warrants and search warrants against me in order to deprive me of that evidence. [6:10] They took from my home, Your Honor, and my car -- and that is in the Honorable Judge Lee's order -- everything, that is the tape, a camera, film, a picture, a computer, a video, a video player.

[11:18] To show Your Honor the cruelty, it is as if Stalin and Saddam Hussein and the Taliban rolled into one. It is not as if -- and throw King George into the mix. It is not as if I were living in America, it is as if I were living

under the colonial rule of King George or under Joseph Stalin. I don't think even there and then it was so bad. [1:9] And what are they accusing me of, Your Honor? [2:25] They are accusing me -- and that is something they themselves produced -- that once I overheard my neighbor verbally abuse another neighbor across the street and I later told the abusive neighbor that if she loved God she should go and apologize to the other neighbor that she abused. [page 12, lines 1-4] For that, Your Honor, I was arrested. I was required to undergo mental examination. I was not allowed to leave the prison until the mental examination take place. [5:10] And just so Your Honor knows, I'm a medical doctor. I also hold a master of public health degree from the other Carolina, the blue one, Chapel Hill, which I got on a Fullbright Scholarship. I speak four languages. And I'm a Coptic Orthodox Christian.

[11:12] **The Court:** I didn't hear the last part of what you said.

[13:24] **Dr. Faltas:** [13] I am a Coptic Orthodox Christian. [14:18] The oldest continuing church in the world is the Coptic Orthodox Church. Saint Mark preached his gospel in Egypt and he was martyred in Egypt. And his martyrdom was the foundation of the Coptic Orthodox Church. [18:23] So when people in jokes say, is the Pope Catholic? Not necessarily. There is a Coptic Orthodox Pope. The Pope in Rome is a successor to Saint Peter. The Pope in Alexandria, Egypt is a successor to Saint Mark. [24] But I go back to the motion.

[25] **The Court:** Okay.

[page 13, line 1] **Dr. Faltas:** They have taken --

[2:5] **The Court:** Just in the interest of equal time and economy of time, I need you to quickly come to a close so that I can hear what Ms. Weiss has to say in response to what you have been saying.

[6:17] **Dr. Faltas:** [6:11] Okay. I have initially filed a motion to suppress the arrest and search warrant, not because they uncovered anything inculpatory, but because everything they took from me is either irrelevant or exculpatory, and they refuse to give it back to me. [12:13] Number 2, once the case was indicted, I filed a motion to quash the indictment on several bases. [14:15] Number 1, that the statute is unconstitutional from top to bottom. [18:17] Number 2, that there is a horrendous irregularity possibly --

[18] **The Court:** Horrendous?

[19 - page 15, line 2] **Dr. Faltas:** [19:20] Irregularity possibly in the composition of the Grand Jury. [21:24] It appears the Grand Jury foreperson is a tenant of the very landlady whom I'm suing for housing discrimination and who pretends that she is a victim of my harassment. [25] So that is like no, no, no, no. [page 14, lines 1-7] The two other bases are that the very notes from Investigator Blanton show that she knew her witnesses were lying and she suppressed that, both to the City Ministerial Recorder, who is not really a neutral magistrate, to get the search and arrest warrant. She again testified falsely about it to the municipal judge who heard the probable cause. [8:10] And of course I do not have access to the Grand Jury proceedings, but it is very likely that she perjured herself to the Grand Jury. [11:13] And of course we know that people shouldn't do that. We have seen President Clinton do it in our lifetime. [14:18] The other prong of my challenge to the indictment, that it is totally non-specific, it is a fill-in-the blank. "Or other acts." I do not know what I am supposed to be defending against. So it is totally void for vagueness. [19:20] And then in addition to that, Ms. Weiss should be recused for several reasons. [2:1] Number 1, she is a witness. [22:25] Number 2, she is rushing me in order to acquire for herself absolute immunity. The law as it stands now, a prosecutor enjoys only qualified immunity until the trial stage. [page 15, lines 1-2] There was an important case of Pottawattamie County of Iowa.

[3] **The Court:** Can you spell that word?

[4] **Dr. Faltas:** [4] Yes, Your Honor. [5:5] P-O-T-T-A-W-A-T-T-A-M-I-E County of Iowa versus McGhee, M-c-G-H-E-E. [7:11] That was argued before the United States Supreme Court on November 4th, 2009. The transcript of the oral argument is available at the U.S. Supreme Court website, and that is SupremeCourtUS, one word, dot gov. [12:18] After the case was argued, the case was settled, it was dismissed pursuant to U.S. Supreme Court Rule 46. The case number is 08-1065. So we may never know, at least from that case, whether the United States Supreme Court will approve absolute immunity for prosecutors who framed a man for murder. That is what that case was about. [19:21] In our own lifetime, we have seen people framed. We have seen Mike Nifong of North Carolina--

[22:23] **The Court Reporter:** I'm sorry, I didn't understand that.

[24] **The Court:** Mike Nifong of North Carolina.

[25 - page 16, line 8] **Dr. Faltas:** [25 - page 16, line 3] Yes. Thank you, Your Honor. He framed a Duke lacrosse player for rape and continued to press the charges even after the DNA was not from them. [4:5] We have seen the late singer Michael Jackson falsely accused of child molestation. [6:8] Even in South Carolina Cardinal Joseph Bernardin was also falsely accused of child abuse or something.

[9:10] **The Court:** Are you still wrapping it up to a close so I can give Ms. Weiss a chance to respond?

[11:13] **Dr. Faltas:** Yes. So I am saying that I have a right to a Franks versus Delaware hearing before the trial starts.

[14] **The Court:** What kind of hearing?

[15:18] **Dr. Faltas:** Under the U.S. Supreme Court case of *Jerome Frank versus Delaware*.

[17] **The Court:** Delaware. *Franks versus Delaware*.

[18 - page 17, line 25] **Dr. Faltas:** [18 - page 17, line 2] Yes, Your Honor. Yes, Your Honor. When I make a prima facie showing -- and that is why you have this thick file, it is thick with a bit of my prima facie showing that the arrest and search warrants were obtained, Number 1, with outright perjury; Number 2, with suppression from the issuing City Recorder of information that, a neutral magistrate here, if she had it before her, would not have issued the search and arrest warrants. [3-7] So, as I said, I'm entitled to challenge all of that before the trial starts and before absolute immunity under current rule attaches to the same prosecutor who was party to the fraud and deprivation and framing of me. [8-13] I discovered what interest Ms. Weiss would have in framing me, and that is because her father is one of the 200 or so select lawyers at law firms who profit from South Carolina's Insurance Reserve Fund here, and I have had occasion to try to challenge that scheme before. That scheme cost our state about \$30 million each year. And it is like if you select a private firm -- every other -- in every other state the Attorney General does the State's work, but in South Carolina he farms it out to private lawyers who in turn give him campaign contributions, and it is a grand scheme. [20-24] Ms. Heather Savitz is the daughter of Stephen Savitz. He is one of the lead firms that profit from that scheme. And that is why she has a vendetta against me. So I intend to challenge all of that before trial. [25] Thank you.

[page 18, line 1] **The Court:** All right. Thank you.

[2-10] **Dr. Faltas:** Oh, I'm sorry. I also didn't get complete discovery. And then she gives me stuff like this, and I try to play it. Sometimes it doesn't play. I want to be able to play it without breaking the chain of custody because I'm sure she will contend she gave it to me in playable condition, and if it doesn't play, then she will say that Dr. Faltas tampered with it. So I want to have court supervision --

[11-12] **The Court:** What is that? Is it a DVD or a CD or --

[13 - page 19, line 18] **Dr. Faltas:** [13-18] I have no idea. I think it is a CD with calls to dispatch, but they have previously given me things that were unplayable and when I went back and said they aren't playable, they said, "oh, but they were playable when we gave them to you." [19-20] That is why I want everything under court supervision without the break of the chain of custody. [22-24] So if they give me tapes, I want some procedure where we open them and play them without my breaking the chain of custody. [25 - page 19, line 6] And then there is a whole lot of normal discovery which was timely sought, like the criminal records of her alleged witnesses and alleged victims. They gave me things with missing pages. A whole lots of things which I enumerated in my motion to compel discovery. None of it helped me. [7-10] Just a few minutes ago she sprung this on me, but I have no idea if any of this is playable. And it definitely is a minute portion of what she owes me. [11-17] So I cannot get a fair trial, if there is going to be a trial, because I am very, very hopeful that if Your Honor listens to an open -- with an open mind at my challenge to the constitutionality of the statute, Your Honor will find that the statute is totally unconstitutional both on its face and applied to. [18] And I very much thank you.

[19] **The Court:** All right. Ms. Weiss?

[20 - page 24, line 21] **Ms. Weiss:** [21-23] Thank you. Your Honor, may it please the Court? First of all, obviously I had no idea that this motion or this hearing was going to take place, so there are no victims notified. [24 - page 20, line 4] Some of the requests for relief that Dr. Faltas is asking for, such as a reconsideration of Judge James' order to return to her residence, I would ask that Your Honor not consider it at this time. That was an appropriately made motion. It was made before Judge James. [5-12] Judge James also -- that was before the holidays -- after the holidays he heard a reconsideration in Sumter. We all went to Sumter for that. The victims were notified and were present for that. I would ask that Your Honor not entertain that at this time because the victims have not been properly notified, as well as myself, that that was going to be heard today. [13-20] Secondly, my understanding is -- and this was in my office or given to me from my office that Judge Cooper has made a notice of the trial, it is scheduled to be heard, notice of hearing for Dr. Faltas on February 22nd, and it indicates that all motions related to these indictments will be heard at that time. I would ask Your Honor to do that at that time on February 22nd. [21 - page 21, line 3] We have attempted to expedite this trial. As Your Honor is well aware, we have a tracking system. Typically this would have gone under the tracking system. Dr. Faltas has currently only had a first appearance. She was arrested on December 2nd. She came to her first appearance in January and we did go on through the appearance system. [4-2] We have tried to expedite this. Due to the number of motions that Dr. Faltas is filing, and those motions seem to be most appropriately heard pretrial, and it would make the most sense to be heard by the trial judge prior to the trial starting. [10-15] So, Your Honor, in agreement with Judge Cooper, as well as Dr. Faltas on the record, we have attempted to find a court date where we could go ahead and hear this case. And that date now has been set as February 22nd, and Your Honor has agreed to hear that case. [15-20] So that is why we're going forward in such a quick manner, not because of anything -- any ideas that I have or anything anybody is trying to do anything to Dr. Faltas. In fact, we are trying to accommodate Dr. Faltas in all of her motions. [21 - page 22, line 2] As far as the evidence, Dr. Faltas has been -- they did do a search warrant. I did not do the search warrant, Your Honor, but there was a search warrant done by the City. Lots of things were taken from her apartment that could have been involved

in a harassment suit, in a harassment case. [3:7] A lot of those items the investigator has had the opportunity to go through and has tried to return them to Dr. Faltas, and she has refused to take them. They have been signed off to her. She has gone down there and refused to take them. [8:13] The two computers she talked of, the camera she spoke of, as well as numerous cassette tapes, VHS tapes, numerous things that were believed to possibly have contained evidence of harassment have now been found not to contain that evidence and have been attempted to be released back to her. [14] She has refused to take custody of those. [15:25] When Your Honor called me, I actually was at the City of Columbia going through the evidence. I am trying to prepare for this trial, which is now just over a week away. So I was actually down there trying to go through that evidence. The more evidence we go through, we may even have more things to return to Dr. Faltas, but at this point I need the opportunity to go through and decide what is going to be evidence in my case in chief once I go to try this case on February 22nd. And that is where we stand as far as that. [page 23, lines 11-13] As far as discovery, I turned over everything in my file. We have turned over -- we have released numerous things back to Dr. Faltas, and I'm not sure -- she will have the opportunity -- Mark Sawyer is her standby counsel. I had talked with him about hopefully on Tuesday being able to go to the City and giving her the opportunity to look through everything that was down there, but that was with the understanding that I would have the opportunity to go through it before then, so that she could go through all the evidence that is down there that I intend to use in my case in chief. [14:24] And as far as the -- she did state that she had some incomplete discovery, that she has first pages, and not second or third. Your Honor, without anything more descript I cannot know what she is referring to. Of course I would attempt to make her whole on any discovery that she feels she is missing. We have asked her numerous times to put in writing what those things are, I have asked her three other standby counsel to put those things in writing and I would try to figure those out at the time. [25 - page 24, line 6] As of this moment I still have not received a complete list of anything she thinks she is missing as far as discovery is concerned. I did receive a motion that she filed and it has some broad explanation of what she believes she is missing, but nothing specific that I could actually respond to. [7:18] The tapes that she has there were copied. They were copied with the other discovery. They actually are not relevant to the case that we are going forward on on February 22nd. Those are calls that occurred after that case. But I'm turning them over to her just because they are in my case file and I believe in having an open case file, and our office has an open case file policy, so I believe in turning it all over to her, but they are not actually relevant to the case we are planning to hear from the incidents that occurred prior to the December 2nd arrest. [19:21] If is there anything further -- I know there was a lot discussed -- that I'm leaving out that Your Honor would like me to speak to? [22] The Court: No.

[23 - page 25, line 1] Ms. Weiss: Okay. Thank you. And I would just ask that you deny making any -- not make any rulings at this time, withhold everything for February 22nd, Your Honor.

[2 - page 28, line 15] Dr. Faltas: [2:9] Your Honor, first of all, I think I explained clearly that what I'm asking is not that you would reconsider Judge James' ruling, but that you -- that I am making the motion to lift it pending appeal, which I'm required to make at the trial court before I go to the Court of Appeals and tell them, "lift it." They will say, "well, did you ask the trial court?" [10:18] So of course I'd like Your Honor to grant it, but if you don't, I need, not that you refused to rule, but that you make your ruling so I can go to the Court of Appeals and say on this narrow issue of the excessive bail and the deprivation of my property without due process, I tried at the trial court level first. So that is one thing. [17:20] The other thing is, she doesn't get to give my property, which is exculpatory, to me and return it to me at the morning of the trial and say, I am -- you are going to have a fair trial. [21 - page 26, line 1] First off all, she took things that cannot possibly be evidence of any crime. Some of them were recordings of court hearings where the alleged victims testified, and I need them to prepare to cross-examine them to -- with prior inconsistent statements. [2:10] Frankly, I think they took all of this from my house in order to damage them. The reason I refused to pick up things is that these are things that I cannot -- just the same way here. Can I tell whether this tape is playable? Can anyone tell whether this tape is playable, whether it is audible, or even if there is a tape in it? And the moment I open it I would have broken the chain of custody. [11:20] So all I ask is a procedure under which whatever it is they are offering to return to me I can test without breaking the chain of custody whether they are damaged, because that search warrant was a general warrant which was what the King's men used to do before the American Revolution. It was -- and also the U.S. Supreme Court in the case of *Stanford versus Texas* addressed exactly that same issue and said it was a general warrant. [21 - page 27, line 6] They don't get to take everything in my apartment and then say, we'll hold on to it and then we'll give it to you on the morning of the trial. They don't get to do that. And I am very suspicious that they have -- in fact, I visually saw what they damaged my computer keyboard. / visually saw that. I don't know if they damaged the two computers they took from me. And there was nothing in the search warrant that was particularized or gave any probable cause that those computers contained evidence of any crime. [7:10] But in any event, they took my things to damage them and now they want to return them to me or pretend to return them to me. I have no idea if they have damaged all the things they took from

me. [1:1-13] I cannot tell from this video that -- there was not a video, but if you have a video you cannot tell what is on it. [14 - page 28, line 2] I need conditions well before trial where I can test every single thing. For example, they took two cameras from my house. They have film in them. They got the film processed. There was nothing in the film -- in the film. It was a picture, Number 1. That is damaged. But that is not important. What is important is the exculpatory material that they have withheld from me and that they may be damaging, and yes, I will not accept anything that I cannot test without breaking the chain of custody, because they will -- as they have lied so much about me so far, they will say, "we gave it to her in good condition and she damaged it." [3-5] So all I'm asking is for a process, starting with these three whatever that she just gave to me, that they can be played without breaking the chain of custody. [7-15] And definitely that that be done long before the trial date because I cannot have a trial if they turn over my -- the evidence. I don't even know who the witnesses are. They have not turned over the alleged witnesses' rap sheets. They have not turned over the driving records of some of the alleged witnesses. These are things that are supposed to be there, and they have not turned them over.

[16-17] **The Court:** Have you provided discovery to Dr. Faltas?

[18-19] **Ms. Weiss:** Yes, Your Honor, we provided all available discovery to Dr. Faltas.

[20] **The Court:** Including witnesses' rap sheets?

[21] **Ms. Weiss:** No, Your Honor.

[22] **The Court:** And a list of witnesses?

[23-24] **Ms. Weiss:** She's got discovery. She knows who the witnesses are --

[25 - page 29, line 1] **Dr. Faltas:** No, I don't! You need to give me the list and ---

[2] **FEMALE DEPUTY:** Ma'am!

[3] **Dr. Faltas:** I'm sorry.

[4] **FEMALE DEPUTY:** You can't do that.

[5-7] **Dr. Faltas:** Well, I'm sorry, I am talking to the judge, not to you, okay? If the judge wants to stop me, he will stop me, not you!

[8] **The Court:** Ma'am ---

[9] **Dr. Faltas:** Okay.

[10] **The Court:** --- the judge is stopping you.

[11-12] **Dr. Faltas:** All right, thank you, Your Honor. And I will abide by Your Honor's ruling.

[13-14] **The Court:** Do not interrupt counsel when she is speaking.

[15-18] **Dr. Faltas:** I will abide by Your Honor, but I would like also Your Honor to admonish the court staff, who are not judicial officers, to not make rulings. Only Your Honor makes rulings.

[19] **The Court:** All right, thank you.

[20] **Dr. Faltas:** Thank you.

[21] **The Court:** Proceed.

[22 - page 30, line 7] **Ms. Weiss:** [22 - page 30, line 3] Thank you, Your Honor. At first the rap sheets -- I'm still obviously preparing for trial, I don't have a full witness list. By the morning of trial I will have all of the witnesses' rap sheets prior to the trial, and definitely prior to any of them taking the stand. So I'll have those prior to trial. [4-7] As far as driving records, I don't see how that is relevant to this case. I would have no -- I have no intention of running a driving record on my witnesses at this point.

[8] **Dr. Faltas:** Well, may I respond, please?

[9] **The Court:** After she is finished.

[10] **Dr. Faltas:** I thought she was done.

[11-17] **Ms. Weiss:** Your Honor, that is as far as the rap sheets and the witness list. She does have -- you know, everything I have in my file about who my witnesses might be she has. I'm still meeting with witnesses to determine my full witness list. I don't anticipate it will be very long, though, Your Honor.

[18] **The Court:** All right. Yes, ma'am?

[19 - page 31, line 15] **Dr. Faltas:** [19-22] Whatever the witness list I'm entitled to have it before the trial date. And I'm entitled to have the rap sheet before the trial date. [23 - page 31, line 1] In addition, the driving records are very, very relevant because one of the exotic charges that they put against me is that I was blocking them with my car. [2-5] And that is one thing that I would also tell Your Honor, if there is going to be a trial, I request that Your Honor make preparation for the jury to view this site. The place has two very wide exits. [7-15] And part of the harassment that they were perpetrating against me, Your Honor, I know the Bible well. Potiphar's wife propositioned Joseph, and when he turned her down, she went to her husband and falsely accused Joseph of propositioning her. And I think of myself as Joseph. Joseph was a Hebrew in Egypt, I am an Egyptian in America.

And I'm exactly going through what he's going through. [16:22] They harassed me. They called me the "B" word several times. They would all the time flip a finger at me. In fact, one of the reasons I took photographs is of them flipping a finger at me. And all I would do is cross myself and say the Lord's Prayer or say Hail Mary, and not respond to them. [23] And yet they falsely accuse me of doing those things. [24 - page 32, line 2] So the driving record is important. Those people were very dangerous drivers, have accidents, have substance abuse, have driver's license suspended. And they wanted to broadside my car. [3:7] All of this -- Judge, it is no different -- and I say the Civil Rights Era never ended. It is just different people. Back then it was African-Americans, now it is first generation immigrants. [8:11] And they keep on telling me, why don't you move from my apartment -- from your apartment; why don't you abandon the land that you want to build on. [12:17] Well, why didn't Rosa Parks get off the bus. Judge, a few days ago we were celebrating the events of a lunch counter sit-in. Why didn't the students get off the lunch counter. Because if they had, there would have never been equal rights for African-Americans. [18:21] And if I were to abandon my apartment and abandon my land and not build anything, there will never be equal rights for first generation immigrants. [22 - page 33, line 7] In fact, Your Honor, in the proposed -- in the proposed edition of the South Carolina Rules of Criminal Procedure, someone from the death penalty -- from the death penalty project got a transcript where one of the jurors on the death penalty case was a first generation immigrant. And because he wanted to make sure before voting for a death penalty the other jurors told him, you either vote with us or we will have you sent back where you came from. And that was in the transcript, and that is on the State Supreme Court's website. [8:11] So this, why don't you go back where you came from, this is not something that I am imagining, this is something that is going on. And I am insisting to stand up for my civil rights. [12:14] And in researching the constitutionality of the statute, of the harassment statute, I so -- would Your Honor like me to stop while you read it?

[15] **The Court:** Proceed, ma'am.

[16 - page 34, line 25] **Dr. Fallas:** [16:20] Thank you, Your Honor. Back then it was a nebulous and amorphous trespass or breach of the peace statute. These are nebulous, amorphous statutes that are classically used to suppress minorities who stand up for their rights. [21:25] So I am entitled to have specific -- specific names, specific charges, specific evidence well ahead of trial, or I'm entitled for the whole thing to be dismissed because there is absolutely no competent evidence. [page 34, lines 1-5] And I am also entitled to ask that Ms. Weiss be recused because, Number 1, she has made herself a witness. The alleged victim is I believe her hairdresser and has been her hairdresser for a while. [6:8] And in any event, Ms. Weiss made herself a witness by swearing in the search warrant and the arrest warrant. [9] And if Your Honor wants to see all the details on February 22nd, I would say that it would be too late for me to receive that on the morning of the 22nd and then get a fair trial that day.

[13:14] **The Court:** All right, under the Victim's Bill of Rights -- you may be seated, ma'am.

[15] **Dr. Fallas:** Thank you.

[16 - page 35, line 17] **The Court:** [16:23] Under the Victim's Bill of Rights, the victims have a right to be informed of and present at any criminal proceedings which are dispositive of the charges where the Defendant has the right to be present. They have a right to be heard at any proceeding involving a post arrest release decision and to be reasonably protected during -- throughout the criminal justice process. [24 - page 35, line 2] I am not going to proceed with hearing any matters, making any decisions concerning anything in this case, other than perhaps regarding discovery on this date. [3:4] This case will come up on the 22nd, at which time the pretrial motions will be discussed. [5:8] Concerning the matters ruled on by Judge James, I do not have the authority to change or modify any decisions made by another Circuit Court Judge. [9:12] Regarding the issue of discovery and the witness list, the Defendant has the right to receive discovery from the State concerning witnesses who are expected to testify in the trial. [13:17] It appears that the Defendant was fully engaged and perhaps already knows all of the parties and the possible witnesses, but a list must be given to the Defendant. Have you given her a list already, Ms. Weiss?

[18:23] **Ms. Weiss:** [18:19] Your Honor, I have not given her a list because I'm still preparing that at this time. [20:23] I still have -- I have a meeting that will be a major contributor to that tomorrow afternoon, so it will be next week before I would have any sort of real list to give her.

[24:25] **The Court:** The State must produce a list of witnesses by 5:00 p.m. on Monday.

[page 36, lines 1-2] **Ms. Weiss:** Your Honor, I will not be here on Monday, it is a state holiday.

[3:4] **The Court:** Monday is a state holiday. It is a state holiday.

[5] **Ms. Weiss:** Yes, Your Honor.

[6] **The Court:** Tuesday at 5:00 p.m.

[7] **Ms. Weiss:** Thank you, Your Honor.

[8:9] **The Court:** The courts are closed Monday, I guess.

[10] Ms. Weiss: Yes, Your Honor.

[11] The Court: State holiday. Tuesday at 5:00.

[12] Dr. Faltas: And if she doesn't?

[13-15] The Court: If she doesn't we'll address that at -- if she doesn't. I don't give anticipatory rulings.

[16-18] Dr. Faltas: Well, then what I am also saying is the other material that they took is exculpatory, and I need it.

[19-23] The Court: The State must provide the Defendant with all exculpatory materials, whatever that might be, but that involves a subjective determination by the State as to what is exculpatory.

[24 - page 37, line 2] Dr. Faltas: And I am saying everything that they took from my house and my car is exculpatory, and they have to return it. They can copy it if they want.

[3-4] The Court: I am not going to address that issue today.

[5-8] Dr. Faltas: Well, then if it pleases the Court, I'm going to say that if it gets addressed only at the morning of the trial, then already my fair trial rights would have been --

[9-10] The Court: You'll need to address that at that time.

[11-15] Dr. Faltas: All right. Now, will there be an order or may I ask -- I have qualified for indigent defense and Judge Cooper has already allowed -- of course, he didn't know that you were going to have this hearing.

[16] The Court: We haven't had a hearing.

[17] Dr. Faltas: What are we having?

[18-23] The Court: [18-20] I'm hearing -- you are requesting a hearing. She's objecting to that. We're not -- I'm listening to you talk more than anything. [21-23] We're not having a hearing because I'm not going to entertain anything without the victims being present.

[24 - page 38, line 1] Dr. Faltas: Well, the alleged victim, Your Honor. There is a presumption of innocence. And I don't think they are victims at all, but --

[2-4] The Court: They are defined by law as being victims, and you are correct, they are alleged victims, but we are not here before the jury.

[5] Dr. Faltas: Your Honor --

[6-7] The Court: In two minutes we are going to recess this hearing.

[8] Dr. Faltas: Yes, yes, but --

[9] The Court: Because I have a jury out.

[10] Dr. Faltas: Oh. Oh.

[11-15] The Court: And you all have miraculously appeared out of nowhere, in the middle of my trial, concerning this matter that I know nothing about. In two more minutes I am going to not discuss it any further.

[16-18] Dr. Faltas: Yes. I just need Your Honor to order the transcript -- not to order, but to allow me to have the transcript, or whatever you call it.

[19-20] The Court: I'm not going to order a transcript of today's hearing.

[21-22] Dr. Faltas: Not order, I mean to allow me to have it.

[23] The Court: Not without paying the cost of it.

[24] Dr. Faltas: Yes, I am allowed to do that.

[25 - page 39, line 2] The Court: I am not going to require the court reporter to provide a free transcript of what was stated in court.

[3-5] Dr. Faltas: Not free. It is not free. It is -- Judge Cooper allowed it to be a state expense, but it is not --

[6-8] The Court: Well, whatever Judge Cooper has ordered, that is Judge Cooper's order. And you are asking me for an order, which I am not going to do.

[9-10] Dr. Faltas: All right, then I am going to. I thank you, Your Honor, then.

[11] The Court: Thank you.

[12-13] Ms. Weiss: I just have one clarification, very briefly.

[14] The Court: Yes.

[15-24] Ms. Weiss: [15-20] I just ask that any witness list I provide on Tuesday I may amend as my investigation continues through the Monday of trial. And I will just keep putting witness lists -- making them available to Mr. Sawyer and Dr. Faltas if anybody gets added. [21-24] And, finally, as far as the evidence, all I can do is make it available, the DVD's, if we decide anything should be turned back over, but that is the extent of what I can do, Your Honor.

[25 - page 40, line 3] Dr. Faltas: Your Honor, Mr. Sawyer is only my standby counsel, I am Pro Se. She needs to tell me -- she needs to give me things, not give them to him to give to me.

[4-5] The Court: Service of documents must be made on the Defendant, not on standby counsel.

[6-7] Ms. Weiss: Yes, Your Honor, I do it on both, just to be covered.

[8] The Court: All right.

[9] Ms. Weiss: Thank you, Your Honor.

[19] MR. SAWYER: Thank you, Your Honor.

[11] The Court: You're welcome.

[12-13] Dr. Faltas: It hasn't been decided, how do I test these?

[14-18] The Court: If there is a problem, then the problem is brought to the Court at the appropriate time, but I will not supervise your listening or watching or reading anything the State provides -- gives you.

[19-21] Dr. Faltas: Will Your Honor be at all available, of course not *ex parte* but with Ms. Weiss --

[22] The Court: I'll be available on the 22nd.

[23] Dr. Faltas: But not during chambers?

[24] The Court: Not before then.

[25] Dr. Faltas: Thank you, Judge.

[page 41, line 1] The Court: All right, thank you.

[2] Ms. Weiss: Thank you, Your Honor.

[3] (WHEREUPON, the proceedings were concluded.

[page 42, line 1] CERTIFICATE OF REPORTER

[4-5] STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

[8-15] I, Deborah M. McCurdy, Official Court Reporter for the Fifth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Richland County, South Carolina, on the 11th day of February, 2010.

[16-17] I do further certify that I am neither of kin, counsel nor interest to any party hereto.

[18-19]

February 19, 2010

[22-23]

[s/] Deborah M. McCurdy, RPR
Fifth Circuit Court Reporter



CITY OF COLUMBIA
SOUTH CAROLINA

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

January 12, 2010

Mr. David A. Fernandez, Esq.
Assistant City Attorney
Legal Department
P. O. Box 667
Columbia, SC 29202



Dr. Marie Assa'ad Faltas, MD, Phd.
304 Byron Road, Apt. 3
Columbia, South Carolina 29209

CERTIFIED MAIL

Re: Motions Concerning Jury Trial Cases

Dear Mr. Fernandez and Dr. Faltas:

Please be advised that the Municipal Court has scheduled a motions hearing on March 3, 2010 to resolve motions filed by Dr. Marie Assa'ad Faltas on January 20, 2010. A copy of the motions filed with the Court on that date is attached hereto. Please be advised that a hearing on these matters will be held on Wednesday, March 3, 2010 at 9:00 a.m. in Courtroom 2, 811 Washington Street, Columbia, South Carolina before The Honorable De Andrea G. Benjamin.

Please call me with any questions or concerns.

Sincerely,

Dana D. Turner
Chief Administrative Judge

RECEIVED

JAN 25 2010

MUNICIPAL
COURT

Marie Assaad-Faltas, MD, MPH

304 Byron Road, Apt # 3, Columbia, SC 29209

Phone and on-demand-fax (803) 783-4536 (temporarily unavailable)

Cell: (330) 232-4164 (Please use)

28 January 2010

Re: Motions Concerning Jury Trial Cases in Which
I am either a Witness or a Defendant.

To the Municipal Court and the Municipal Prosecutor for the City of Columbia:

- ① This series of motions and requests does not supersede; but by reference incorporates and reiterates all matters in my previous written submissions to this court and all my FOIA requests to the City of Columbia.
- ② As to the case against me for alleged front-yard parking, I move that it be dismissed because the ordinance is unconstitutional, because I was selectively prosecuted, and because my speedy trial rights have been violated as it has been more than six months since the remittitur from the appeal but the City did nothing to prosecute me.
- ③ As to the alleged assault charge against me by Dinah Steele, I move that it be dismissed because, on 17 November 2009 the prosecutor did make full disclosure but withheld at least two very significant exculpatory items:
 - Ⓐ The driving record of alleged witness Charlene Crouch, which record had been obtained by Investigator Blanton on 4 Nov. 2009. That record shows a history of substance abuse by Crouch that resulted in the suspension of her driver's license for at least 6 months at least once.
 - Ⓑ The 911 call by alleged victim Dinah Steele where she does not mention assault at all but complains only of trespass.

RECEIVED

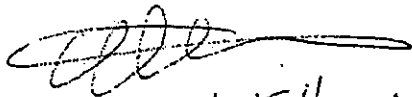
JAN 28 2010

MUNICIPAL
COURT

Page 2 of 2 24 / 85

- ④ As to the alleged trespass charge against me, I move that it be dismissed as a matter of law as I cannot possibly trespass where I live.
- ⑤ As to the alleged unlawful-use-of-telephone against me, I move that the charges be dismissed because the arrest was by an officer who did not witness the alleged misdemeanor and because the City has refused to produce the recording of ~~the~~ call to dispatch on 12 Dec 2009. Those tapes show that I did not use abusive language. And, in any event, the statute does not criminalize abusive language and is unconstitutional anyway.
- ⑥ I request that all the above motions be scheduled expeditiously... but not before Municipal Judges Turner, Benjamin or Burns because of conflicts of interests.
- ⑦ I request a copy of the tapes of each and every time I appeared in Columbia Municipal Court from and including September 2009 to January 2010.

Submitted and served on Assistant City Attorney Fernandez either by hand-delivery to his office location or hand-delivery in the Municipal Court Building at 811 Washington Street, Columbia, SC 29209, all on 28 January 2010.


Marie Assaad-Fallas, MD, MPH
Defendant pro se

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

CITY OF COLUMBIA

v.

MARIE ASSA'AD-FALTAS, MD, MPH

IN THE MUNICIPAL COURT
OF THE CITY OF COLUMBIA

MOTIONS TO DISMISS THE CHARGE
AND ENTER A FORMAL ACQUITTAL IN THIS CASE

Or, in the alternative, for a continuance of this case

Defendant *pro se* hereby moves this Honorable Court to dismiss the charge of trespass after notice because Defendant cannot possibly trespass in her own front yard, parking lot, or near her mail box, which is in the right of way anyway and not subject to trespass. Additionally, no valid trespass notice was, or could have been, given to her prior to, on, or even after, the date of the allegation since the alleged trespass occurred in the very area where Defendant rents, her rent was fully paid on the date of the allegations, and no final order of eviction had then been, or is yet, issued against her on the date of the allegations. The charge of simple assault should be dismissed because of the Prosecution's failure to check the veracity of its witnesses and to admonish the police to include exculpatory facts in the report. Indeed, the Prosecution plans to use false witnesses and fabricated evidence as it had done before against this very defendant. Further, it appears the Prosecution conspired with its witnesses to prevent Defendant from receiving timely notification of the trial date.

Even if the charges are not dismissed, the case should be continued until Defendant has had a chance to receive and study all exculpatory material from the Prosecution.

Respectfully submitted on 4 November 2009.



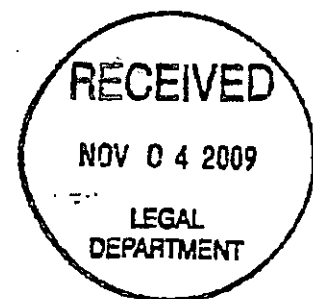
Marie-Thérèse Assa'ad-Faltas, M.D., M.P.H., Defendant *pro se*
304 Byron Road, Apt 3, Columbia, S.C. 29209
Telephone and on-demand fax-receive only: (803) 783 - 4536.

Certificate of Service

I served this document by hand-delivery to Mr. Fernandez in open court or by hand-delivery to the designated person at the location of the City of Columbia legal department on 4 November 2009.



Marie Assa'ad-Faltas, M.D., M.P.H., Defendant *pro se*



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CITY OF COLUMBIA
SOUTH CAROLINA

OFFICE OF THE CITY ATTORNEY * POST OFFICE BOX 667 * COLUMBIA, SC 29202
* (803) 737-4242 * FAX (803) 737-4250

FAX TRANSMITTAL SHEET

FAX #: (803) 748-5018

DATE: March 1, 2010

TO: J. Clarke Newton, Esquire – Richland Co. Public Defender's Office

FROM: Shirlean L. Streater, Legal Assistant to David A. Fernandez

RE: City vs.

4 page(s), including cover. Please call Shirlean L. Streater @ 737-4242 if all are not received.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL ATTORNEY INFORMATION INTENDED ONLY FOR THE USE OF THE ADDRESSEE. PERSONS RESPONSIBLE FOR DELIVERING THIS COMMUNICATION TO THE INTENDED RECIPIENT ARE HEREBY NOTIFIED NOT TO READ THE ATTACHED AND THAT ANY DISSEMINATION, DISTURBANCE OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND PLEASE RETURN THE ORIGINAL MESSAGE TO US VIA THE U.S. POSTAL SERVICE.

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CITY OF COLUMBIA
SOUTH CAROLINA

OFFICE OF THE CITY ATTORNEY • POST OFFICE BOX 667 • COLUMBIA, SC 29202 • (803) 737-4242 • FAX (803) 737-4250

March 1, 2010

J. Clarke Newton, Esquire
Richland County Public Defender's Office
P. O. Box 192
Columbia, SC 29202

Re: City of Columbia v. Marie Assa'ad-Faltas
Ticket No(s): 31891-EQ

Dear Clarke:

A municipal court hearing has been scheduled regarding the enclosed motion submitted by the defendant for 9:00 a.m. on Wednesday, March 3, 2010.

Please let me know if you have any questions or if I can be of any further assistance to you.

Sincerely,

A handwritten signature in cursive script that reads "David A. Fernandez". The signature is written in dark ink and is positioned above the printed name.

David A. Fernandez
Assistant City Attorney

DAF/sls

[page 1] City of Columbia	)	TRANSCRIPT OF RECORD	March 3, 2010	Jury Trials
vs.	)		Judge DeAndrea G. Benjamin	
Marie-Therese Assa'ad-Faltas,	)		ACA David A. Fernandez	
Defendant	)			

[lines 1-6] Mr. Newton: Yes, Your Honor, Clarke Newton as standby counsel for Dr. Faltas. She conveyed to me that she had come to court and then needed to stop and run an errand so if we could please continue until she was going to get back. I don't know when it's going to be. If we can just give it another --- until we go through Ms. Holloway's docket and come back to that, please.

[7] The Court: Mr. Fernandez.

[8-10] Mr. Fernandez: Did she give you any -- is there any estimate of time when she's supposed to be back? Did she give you a range?

[11-17] Mr. Newton: Your Honor, she did not. She had said originally 9:30. She, however, said it could take longer than that. I don't know exactly what she was doing. I was not going to be present but I was able to come back and I believe she had tried to go down to the public defender's office and find another attorney to be here as standby counsel. I believe that's what she was doing but I don't know if that's exactly what she was doing.

[18] The Court: Now which case -- is this involving a case?

[19 - page 2, line 1] Mr. Fernandez: Not a case in particular, Your Honor. It involves I think four different pending charges. She's here apparently, Your Honor.

[2] The Court: Do you need to speak with her?

[3-5] Mr. Newton: Your Honor, no, I do not. Although as she has just (inaudible), I would request at least one case go before us so that she can --

[6-7] The Court: Okay. We'll go ahead and get some of these folks back on the street.

[8] (case recess) [9] (case resumes)

[10] The Court: Is this on the docket?

[11] Mr. Fernandez: I don't believe so, Your Honor.

[12] The Court: All right.

[13-16] Mr. Fernandez: This is a motion hearing that was scheduled by Judge Turner. I believe Your Honor has a copy of the motion. Before -- I'd just ask before Your Honor heard anything from Ms. Faltas who is the one who--

[17] Defendant Faltas: Dr. Faltas.

[18-20] Mr. Fernandez: Who submitted the motion and I'd just say that -- I don't know if Your Honor has had a chance to review the grounds that Ms. Faltas lays out--

[21] Defendant Faltas: Dr. Faltas.

[22] Mr. Fernandez: But--

[23-24] The Court: Dr. Faltas, please do not interrupt. You'll have an opportunity to speak. Yes, sir.

[25 - page 3, line 11] Mr. Fernandez: In an appeal to judicial economy I would ask Your Honor that nothing be decided today. Everything that is laid out in this motion has to do with cases that are not before the court today. Anything that Your Honor -- if Your Honor were to decide would certainly be appealed as interlocutory as it may be it would likely be appealed. That will cause unnecessary paperwork in other courts. My request would be that certainly these motions should be heard at some point but when the case is called for trial it could be handled prior to trial, we could have the trial and then any appeal would be valid at that point. So I move to have these matters continued until the appropriate time in an appeal to judicial economy.

[12] The Court: All right. Dr. Faltas.

[13] Defendant Faltas: Good morning.

[14] The Court: Good morning.

[15 - page 4, line 25] Defendant Faltas: It's nice to see you again. And, ma'am, I want to say that I've had very recently a very trying experience but the more I go through extreme hardships in life, the more I'm grateful to God and the more I know who I am. And who I am I find out is a child of God and (inaudible) and the daughter of my father who was a saint. I'm a Coptic Orthodox Christian, very proud of it, very proud of being Egyptian and a physician. But I have been through an experience where a solicitor who is supposed to be a minister of justice had not only told lies about me herself, but had been putting witnesses on the stand knowing that they would tell lies. I have called the chief of police of this city and he told lies. I have called the solicitor, called the woman, called the investigator Blanton and basically they have admitted that they framed me. I'm say basically. They didn't choose that word but from all of it I think the City of Columbia is operating a group of thugs armed with side guns paid by the taxpayers. They came to my home when I wasn't doing anything and falsely arrested me on two (inaudible) misdemeanor charges not witnessed by the police officers. They took from my home and my car things that belonged to me and belonged to my mother. They still are keeping many of them. They put a woman who pretend that she's my alleged victim who has three felony convictions for stealing credit cards. They put a man who claims I harassed him by taking his photographs who had threatened to force me to perform a sexual act on him. And he has a burglary conviction. He has two convictions of possession of marijuana, one conviction of possession of a dangerous animal, three or four arrests of possession with intent to distribute. And they were trying to say that I am the criminal. In addition, ma'am, in addition I've run into your husband not knowing that he was your husband but in any event I would have said the same thing had I - and he had mentioned your name and I said that you are not a good judge and that you have no judicial independence. And I'm sure that was reported to you. I am sure that everyone deserves a chance to rise above all of this. I doubt that you would be fair and impartial to me but if you think you can and you are going to assure me that you can --

[page 5, lines 1-11] The Court: Dr. Faltas, I have always been fair and impartial (inaudible) but do you understand what the prosecutor is asking for a continuance so -- I don't know when your cases are going to come up on the -- he's saying that he thinks that your motions should be heard when the cases are on the docket. And he's asking for a continuance. So if you are saying that you don't want me to hear the case today then that might work for both of you all. He's asking for a continuance, I think you are asking that I grant your motion that I recuse myself so I have no problem continuing the case today if that is what you -- I think that's what you are asking for, I think that's what he's asking for.

[12-13] Defendant Faltas: I'm asking that another judge be brought today.

[14-16] The Court: Well, no one else will be here today but me. The only other judge is Judge Turner and I believe that you've asked that she recuse herself also.

[17] Defendant Faltas: Yes, ma'am.

[18] The Court: So it's going to have to be continued.

[19] Defendant Faltas: How--

[20-24] The Court: I don't handle -- and I don't know. I don't handle the administrative part of it but I will continue it. I'm not sure when your cases have come on the docket but he's asking that the motions be heard by the judge that's going to hear the case and I don't know who that will be.

[25 - page 6, line 10] Defendant Faltas: These are four separate cases. And I'd like the motions to be heard before the cases are called for trial because these prosecutors are supposed to be ministers of justice.

They are the only lawyers in the adversary system who have a duty by law and by the ethics of the legal profession to explore the evidence both on their side and on the opposite side. They have a duty to do that and I am asking the judicial officer to hold Mr. Fernandez to that standard so he cannot just keep charges hanging over my head without doing his duty which I have presented in the motion and in others that there is fully exculpatory evidence of me. He's supposed to explore everything on his own.

[11-15] The Court: Well, this is what I'm going to do. I'm going to continue the case. I'm not sure when they are coming up on the docket but I will direct the prosecutor to get Dr. Faltas any evidence or anything that you intend on using in the trial against her on any of these cases --

[16] Defendant Faltas: No--

[17-18] The Court: Hold on one second. Within the next month. Okay.

[19-20] Defendant Faltas: Not only anything that he's trying to use against me, he needs himself to get all exculpatory evidence.

[21-23] The Court: He understands the rules of evidence and he understands under *Brady* she needs to get everything that she's supposed to get.

[24 - page 7, line 3] Mr. Fernandez: Your Honor, the issue becomes -- and I'm not sure if Your Honor wants to even delve into it but the documentation that the defendant is referring to would be stuff that goes beyond the scope of discovery. I think that's where the issue--

[4-5] The Court: Well, I'm just -- I'm ordering you to give her whatever is under *Brady* that she's entitled to.

[6-7] Defendant Faltas: Actually, it doesn't go beyond the scope--

[8-10] The Court: Okay. Well, you all will have to argue about that on the jury trial date whenever that is. I'm not sure when that is but I will grant the City's motion for a continuance.

[11-12] Defendant Faltas: But he's supposed to give me that within the thirty days and this I s--

[13] The Court: Yes.

[14-18] Mr. Fernandez: *We've had no specific hearing on discovery. I will provide everything that's in my possession under Brady that she's entitled to. As to requested items that go beyond the scope of Brady or discovery I will not be providing that unless the judge --*

[19-20] The Court: The judge who is trying the case will -- if she has any objection will have to rule on that at that time.

[21-23] Defendant Faltas: Your Honor, there are four cases and I want for the record to enter my new address and that is post office box 9115.

[24 - page 8, line 1] The Court: Can you get her new address? And see we don't even have your file. I can't really get into the details because I don't have it. What is your address?

[2-3] Defendant Faltas: Post Office Box 9115, Columbia, South Carolina 29209. There are four files.

[4-7] Mr. Fernandez: And, Your Honor, actually the one we could take care of so that the defendant doesn't believe that there's something pending, there's a charge of front yard parking and actually I believe Your Honor heard the original trial.

[8] The Court: I began to hear it.

[9-20] Mr. Fernandez: That is actually -- this municipal court at this time has no jurisdiction over that charge. There was a trial, there was -- I believe the defendant got ill during the middle of the trial. It was mistried. There was an appeal of the mistrial, went all the way to the Supreme Court. ***The Supreme Court remitted it back to the Circuit Court which is where I believe the case is still pending is in the Circuit Court.*** What Circuit Court is going to do with it, if they are going to remit it back to municipal court remains to be seen. ***But for these purposes there is no jurisdiction for this court to handle***

the front yard parking case. The three other charges are pending I believe in our system, pending jury trial, but as to the front yard parking that is not before us.

[21] The Court: Okay. All right. Thank you.

[22] Mr. Fernandez: Thank you.

[23-24] The Court: And just for the record I believe Mr. Clarke Newton is the standby?

[25 - page 9, line 3] Mr. Newton: Yes. And, Your Honor, so Dr. Faltas would like for the public defender's office to represent her, we only represent her currently on the unlawful communication charge. So there are three pending and we represent her on the one.

[4-5] Defendant Faltas: They are standby. They are standby on the unlawful communication.

[6] The Court: All right.

[7-14] Defendant Faltas: *But I was hoping that since Mr. Newton is here and Mr. Fernandez is here and I'm here and the court has finished or about to finish its business for the day, I'd like to be able to speak to Mr. Fernandez. You know, I don't bite. I'm a very educated and very pleasant person and I believe I always contribute to whoever speaks to me so I'd like for Mr. Fernandez to speak to me in Mr. Newton's presence to see how we can resolve these matters.*

[15-18] Mr. Fernandez: *Your Honor, it's always been the policy of our office that any communications would be either on the record, in writing or were the defendant to have an attorney we could certainly talk through her attorney.*

[19-20] The Court: *Have you got any problem talking with her and Mr. Newton?*

[21-23] Mr. Fernandez: *I do. If it's on the record, I'm fine with that but I don't know if Your Honor wants to sit through a discussion about who knows what.*

[24 - page 10, line 1] Defendant Faltas: Well, I want to tell him the exculpatory evidence that he should -- I want to put him on notice of --

[2-3] The Court: Well, can you do this? Can you send him a letter? Can you send him a letter with the evidence?

[4] Defendant Faltas: No.

[5-17] The Court: That's what I'm going -- we are not going to sit here and do it on -- can you send him a letter saying that -- well, what you need to do is after thirty days if he has not disclosed something you need to send him a letter saying, Mr. Fernandez, these are the things that you have not disclosed and ask him for an explanation as to why they were not disclosed. And then when y'all come back before the judge for a motion hearing then at that time a judge can take up whether or not he did not disclose proper information. That is what I would suggest be done. We are not going -- he doesn't want to talk to you. You are saying this is your standby attorney so Mr. Newton cannot make any decisions on your behalf so I would suggest that it be done in writing to the City Attorney's office.

[18 - page 11, line 2] Defendant Faltas: May I just -- if you could please hear me, ma'am, please. The reason I don't want to put this in writing is, number one, they never respond. I write until I'm blue in the face. Second, second, as I said, you know, they've been trying to take my property but the one thing I cannot let them take is my soul and even though I am going, God willing, if I have to I'm going to zealously represent myself. I don't want to embarrass people. The claimed witnesses that he has against me have horrendous criminal records which they previously actively concealed. I don't want to embarrass people unnecessarily.

[3] The Court: Well, Dr. Faltas --

[4-6] Defendant Faltas: That is why I want to talk to him not on the record, not on paper for the sake -- my compassion, my forgiveness.

[7-10] The Court: *We are not going to do it on the record and I can't force him to talk to you so you'll have to do it in writing or you'll have to do it when it comes back before the court whenever it comes up on the docket.*

[11-13] Defendant Faltas: *Well, fine. But if he doesn't do his duty as a prosecutor to explore the exculpatory evidence I'm going to file a grievance with the ethics --*

[14-15] The Court: Well, I think you should send him something in writing.

[16-17] Defendant Faltas: No. He knows who his witnesses are and he knows how to get the criminal records.

[18] The Court: Okay.

[19-20] Defendant Faltas: *I don't think this is something I should educate them about.*

[21] The Court: Okay.

[22] Defendant Faltas: *And he cannot plead ignorance.*

[23-25] The Court: *You can bring that out with the judge that hears the case on the date if he does not provide something he's supposed to provide. Thank you all.*

[page 12, line 1] Mr. Fernandez: Thank you, Your Honor.

[2] The Court: Thank you.

[6] (adjourned)

[page 13]	State of South Carolina	In The Municipal Court for the City of Columbia
	County of Richland	
	City of Columbia,	)
	vs.	)
	Marie-Therese Assa'ad-Faltas,	)
	Defendant.	)

CERTIFICATE

This is to certify that the within motions, consisting of twelve (12) pages, is a true and correct transcript of record for the motions on March 3, 2010, said transcript being prepared to the best of my ability from a tape recording provided to me without the benefit of my being present at the proceeding. I further certify that I am not related to any of the parties in this matter or their counsel, nor do I have any interest, financial or otherwise, in the outcome of the same. In witness whereof I have hereunto set my hand and seal on the 27th day of May, 2010.

[s/] Nancy S. Ahrens

Notary Public for South Carolina
My commission expires: 03-29-19

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

State of South Carolina

v.

Marie Assa'ad-Faltas, MD, MPH

RICHLAND COUNTY
FILED

IN GENERAL SESSIONS COURT
K-613792 AND K-613793

2010 MAR -3

AM 9:36
Indictments Nos. 2010-GS-40-11980 and 11987

JEANETTE W. McBRIDE
C.C.S.

DEFENDANT'S URGENT MOTION TO CONVERT HER BOND TO AN UNCONDITIONAL
PERSONAL RECOGNIZANCE BOND IN LIGHT OF THE NULLITY OF PREVIOUS RULINGS
AND OF THE FRAUD UPON THE COURTS PERPETRATED BY DEFENDANT'S FALSE ACCUSERS

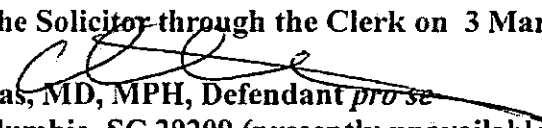
Defendant *pro se* prays the Honorable Judge Lee, hearing motions in General Sessions Court this week, to immediately convert Dr. Assa'ad-Faltas' bond to an unconditional personal recognizance bond until an expedited *evidentiary* hearing is held on the fraud upon the courts perpetrated by her false accusers as revealed in her 22-26 February 2010 criminal trial. Said trial ended in mistrial. So, all rulings of law made by any and all judges before, and in the course of, said trial are nullity at law. Please see *State v. Woods*, 676 S.E.2d 128, 131 (S.C. 2009) {"A mistrial is the equivalent of no trial and leaves the cause pending in the circuit court. *State v. Smith*, 336 S.C. 39, 518 S.E.2d 294 (Ct. App. 1999). It leaves the parties 'as though no trial had taken place.' *Grooms v. Zander*, 246 S.C. 512, 514, 144 S.E.2d 909, 910 (1965) (rulings of trial judge in proceeding ending in mistrial represent no binding adjudication upon the parties as the mistrial leaves the parties in *status quo ante*). A court ruling as to admissibility and competency of testimony during a trial which is later declared a mistrial results 'in no binding adjudication of the rights of the parties.' *Keels v. Powell*, 213 S.C. 570, 572, 50 S.E.2d 704, 705 (1948)."} The restrictions set by the biased Municipal Judge Burns were specified to end with Dr. Faltas' 25 January 2010 "first appearance," which already occurred.

So, there are no restrictions on Defendant's return to her apartment which have force of law. But her 22-26 February 2010 trial revealed fraud upon the courts with knowledge of, and possible encouragement by, the Fifth Circuit's Solicitor's office whose head, Giese, has not recently proved himself a model of virtue.

As few of the thirty-plus examples of fraud revealed, Larry Mason and Dinah Steele had falsely claimed Dr. Assa'ad-Faltas "harasses" them by representing herself as the owner of the 300 and 304 Byron Road quadrplexes and "runs off" potential tenants and "guest" of Teresa Ingram (a twice-convicted felon and one of Dr. Assa'ad-Faltas' two false accusers herein). Mason and Steele filed purported written statements to that effect from a Rodney Ingram, allegedly Teresa's brother, and an Eldon Wheeler, allegedly a passer-by who saw the "FOR RENT" sign. While the statements are obviously self-contradictory and incoherent, Rodney Ingram testified and denied the signature over Rodney Ingram's name is his. Also, Larry Mason testified and first insisted that Eldon Wheeler is a stranger to him. But SLED reports show Eldon Wheeler is/was employed by Mason's private detective agency. Mason and Steele procure false statements from their employees and tenants. Dinah Steele admitted that she has no name change to Steele-Mason and no marriage license from South Carolina but files income taxes as single. Her only proof of any relationship to Larry Mason is a "military dependent card" the authenticity of which was not verified. Steele claimed to have a marriage license "from Las Vegas" but there is no marriage certificate of her and Larry mason from any state, at least none that has not been retro-actively forged. And Teresa Ingram had, during an eviction trial brought by Dinah Steele against Dr. Assa'ad-Faltas, claimed Ingram's father was in intensive care so she had to leave before being cross-examined by Dr. Assa'ad-Faltas. In the 22-26 February 2010 trial, Ingram's claimed father was called by the State and testified on cross-examination that he was not hospitalized at all in the past two years, much less in Richland Intensive Care as Steele and Ingram had represented to Richland County Magistrate Stroman-Boyd in the eviction trial. These are all matters of public record and do not depend on Dr. Assa'ad-Faltas' credibility but were also used in the civil cases.

Most disturbing and terrifying was the testimony of Columbia Police Department Investigator Amanda Blanton and Police Chief Tandy Carter. Blanton admitted she obtained the Social Security number of Dr. Assa'ad-Faltas' mother from a program accessible only to law enforcement personnel and then called the Columbia Social Security Office obviously with a suggestion that Dr. Assa'ad-Faltas' mother was deceased and Dr. Assa'ad-Faltas had been receiving her mother's Social Security *retirement* checks fraudulently as specifically testified twice by Larry Mason: "your mother does not exist." After Dr. Assa'ad-Faltas proved to the Social Security Administration that her mother is alive but convalescing and that there is a durable power of attorney for Dr. Assa'ad-Faltas from her mother, Blanton still took from Dr. Assa'ad-Faltas' car and apartment all bankcards with Dr. Assa'ad-Faltas' mother's name on them even though that was not in the search warrant. That was theft by Blanton under force of the guns at the police's side. The numbers on those bankcards are now public record as they have been photographed in the search. Some photos of that search taken by Blanton's collaborators and showing Dr. Assa'ad-Faltas' underwear hanging from her closets were admitted to the jury. Blanton admitted contacts long before the arrest and search warrants with J. Andrew Delaney, the lawyer for Steele and Mason in the civil action brought by Dr. Assa'ad-Faltas and in which action the Honorable Judge Lee issued a preliminary injunction in part as sought by Dr. Assa'ad-Faltas. J. Andrew Delaney testified, unaware of Blanton's testimony, and tried to deny any contact with Blanton then provaricated. Mason admitted being on the scene of Dr. Assa'ad-Faltas' 2 December 2009 arrest and search of her apartment and car. Chief Carter admitted having has a meeting with Blanton and others to ensure that Assistant Solicitor Weiss was "on board" and that they had "all the elements of the crime." Although Blanton admitted she witnessed nothing, City of Columbia Ministerial Recorder Angela Ladsen, who serves at the pleasure of City Council, admitted she asked no questions as to the reliability or veracity of Blanton's alleged informants and was given no oral testimony to that effect. Carter also testified he gives his officers unfettered discretion to arrest even on alleged misdemeanors not witnessed by the police officer or freshly committed in the officer's presence. The clincher came in a discussion between David Ross and Dr. Assa'ad-Faltas witnessed by Richland County Captain White. The essence of it is that the Fifth Circuit Solicitor's office wants Dr. Assa'ad-Faltas to abandon her land and vacate her apartment "because they don't like you." This is exactly as the Honorable judge Lee had found in her ORDER FOR PRELIMINARY INJUNCTION and exactly what Dr. Assa'ad-Faltas has been trying to prove: that these false criminal charges were brought for Steele and Mason to achieve what they could not in the civil litigation. It is a shame and a crime for any prosecutor to so side with a party in a civil case as to bring criminal charges against the opposing party without examining the credibility and motivation of the latter party's accusers. No minutia about who schedules what should stop the Honorable and incomparable Judge Lee from ending this on-going desecration of the courts as the temple of truth. This desecration is perpetrated by persons who contribute nothing to Society but in the process are trying to kill the person and works of a potential useful inventor.

Respectfully submitted, and served on the Solicitor through the Clerk on 3 March 2010.


 Marie Assa'ad- Faltas, MD, MPH, Defendant *pro se*
 304 Byron Road, Apt. #3, Columbia, SC 29209 (presently unavailable)
 P.O. Box 9115, Columbia, SC 29209 (please use until further notice)
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Cell Phone: (330) 232 – 4164 (please use until further notice)

CITY OF COLUMBIA

vs.

MARIE-THERÈSE ASSA'AD-FALTAS,

DEFENDANT

)
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TRANSCRIPT OF RECORD

MARCH 3, 2010

JURY TRIALS

JUDGE DeANDREA G. BENJAMIN

ACA DAVID A. FERNANDEZ

1 **MR. NEWTON:** YES, YOUR HONOR, CLARKE NEWTON AS STANDBY
 2 COUNSEL FOR DR. FALTAS. SHE CONVEYED TO ME THAT SHE HAD COME TO
 3 COURT AND THEN NEEDED TO STOP AND RUN AN ERRAND SO IF WE COULD
 4 PLEASE CONTINUE UNTIL SHE WAS GOING TO GET BACK. I DON'T KNOW WHEN
 5 IT'S GOING TO BE. IF WE CAN JUST GIVE IT ANOTHER -- UNTIL WE GO THROUGH
 6 MS. HOLLOWAY'S DOCKET AND COME BACK TO THAT, PLEASE.

7 **THE COURT:** MR. FERNANDEZ.

8 **MR. FERNANDEZ:** DID SHE GIVE YOU ANY -- IS THERE ANY
 9 ESTIMATE OF TIME WHEN SHE'S SUPPOSED TO BE BACK? DID SHE GIVE YOU A
 10 RANGE?

11 **MR. NEWTON:** YOUR HONOR, SHE DID NOT. SHE HAD SAID
 12 ORIGINALLY 9:30. SHE, HOWEVER, SAID IT COULD TAKE LONGER THAN THAT. I
 13 DON'T KNOW EXACTLY WHAT SHE WAS DOING. I WAS NOT GOING TO BE
 14 PRESENT BUT I WAS ABLE TO COME BACK AND I BELIEVE SHE HAD TRIED TO GO
 15 DOWN TO THE PUBLIC DEFENDER'S OFFICE AND FIND ANOTHER ATTORNEY TO
 16 BE HERE AS STANDBY COUNSEL. I BELIEVE THAT'S WHAT SHE WAS DOING BUT I
 17 DON'T KNOW IF THAT'S EXACTLY WHAT SHE WAS DOING.

18 **THE COURT:** NOW WHICH CASE -- IS THIS INVOLVING A CASE?

19 **MR. FERNANDEZ:** NOT A CASE IN PARTICULAR, YOUR HONOR. IT
 20 INVOLVES I THINK FOUR DIFFERENT PENDING CHARGES. SHE'S HERE

1 APPARENTLY, YOUR HONOR.

2 THE COURT: DO YOU NEED TO SPEAK WITH HER?

3 MR. NEWTON: YOUR HONOR, NO, I DO NOT. ALTHOUGH AS SHE
4 HAS JUST (INAUDIBLE), I WOULD REQUEST AT LEAST ONE CASE GO BEFORE US
5 SO THAT SHE CAN --

6 THE COURT: OKAY. WE'LL GO AHEAD AND GET SOME OF THESE
7 FOLKS BACK ON THE STREET.

8 (CASE RECESS)

9 (CASE RESUMES)

10 THE COURT: IS THIS ON THE DOCKET?

11 MR. FERNANDEZ: I DON'T BELIEVE SO, YOUR HONOR.

12 THE COURT: ALL RIGHT.

13 MR. FERNANDEZ: THIS IS A MOTION HEARING THAT WAS
14 SCHEDULED BY JUDGE TURNER. I BELIEVE YOUR HONOR HAS A COPY OF THE
15 MOTION. BEFORE -- I'D JUST ASK BEFORE YOUR HONOR HEARD ANYTHING FROM
16 MS. FALTAS WHO IS THE ONE WHO --

17 DEFENDANT FALTAS: DR. FALTAS.

18 MR. FERNANDEZ: WHO SUBMITTED THE MOTION AND I'D JUST
19 SAY THAT -- I DON'T KNOW IF YOUR HONOR HAS HAD A CHANCE TO REVIEW THE
20 GROUNDS THAT MS. FALTAS LAYS OUT --

21 DEFENDANT FALTAS: DR. FALTAS.

22 MR. FERNANDEZ: BUT --

23 THE COURT: DR. FALTAS, PLEASE DO NOT INTERRUPT. YOU'LL
24 HAVE AN OPPORTUNITY TO SPEAK. YES, SIR.

25 MR. FERNANDEZ: IN AN APPEAL TO JUDICIAL ECONOMY I WOULD

1 ASK YOUR HONOR THAT NOTHING BE DECIDED TODAY. EVERYTHING THAT IS
2 LAID OUT IN THIS MOTION HAS TO DO WITH CASES THAT ARE NOT BEFORE THE
3 COURT TODAY. ANYTHING THAT YOUR HONOR -- IF YOUR HONOR WERE TO
4 DECIDE WOULD CERTAINLY BE APPEALED AS INTERLOCUTORY AS IT MAY BE IT
5 WOULD LIKELY BE APPEALED. THAT WILL CAUSE UNNECESSARY PAPERWORK
6 IN OTHER COURTS. MY REQUEST WOULD BE THAT CERTAINLY THESE MOTIONS
7 SHOULD BE HEARD AT SOME POINT BUT WHEN THE CASE IS CALLED FOR TRIAL
8 IT COULD BE HANDLED PRIOR TO TRIAL, WE COULD HAVE THE TRIAL AND THEN
9 ANY APPEAL WOULD BE VALID AT THAT POINT. SO I MOVE TO HAVE THESE
10 MATTERS CONTINUED UNTIL THE APPROPRIATE TIME IN AN APPEAL TO JUDICIAL
11 ECONOMY.

12 THE COURT: ALL RIGHT. DR. FALTAS.

13 DEFENDANT FALTAS: GOOD MORNING.

14 THE COURT: GOOD MORNING.

15 DEFENDANT FALTAS: IT'S NICE TO SEE YOU AGAIN. AND, MA'AM,
16 I WANT TO SAY THAT I'VE HAD VERY RECENTLY A VERY TRYING EXPERIENCE
17 BUT THE MORE I GO THROUGH EXTREME HARDSHIPS IN LIFE, THE MORE I'M
18 GRATEFUL TO GOD AND THE MORE I KNOW WHO I AM. AND WHO I AM I FIND
19 OUT IS A CHILD OF GOD AND (INAUDIBLE) AND THE DAUGHTER OF MY FATHER
20 WHO WAS A SAINT. I'M A COPTIC ORTHODOX CHRISTIAN, VERY PROUD OF IT,
21 VERY PROUD OF BEING EGYPTIAN AND A PHYSICIAN. BUT I HAVE BEEN
22 THROUGH AN EXPERIENCE WHERE A SOLICITOR WHO IS SUPPOSED TO BE A
23 MINISTER OF JUSTICE HAD NOT ONLY TOLD LIES ABOUT ME HERSELF, BUT HAD
24 BEEN PUTTING WITNESSES ON THE STAND KNOWING THAT THEY WOULD TELL
25 LIES. I HAVE CALLED THE CHIEF OF POLICE OF THIS CITY AND HE TOLD LIES. I

1 HAVE CALLED THE SOLICITOR, CALLED THE WOMAN, CALLED THE
2 INVESTIGATOR BLANTON AND BASICALLY THEY HAVE ADMITTED THAT THEY
3 FRAMED ME. I'M SAY BASICALLY. THEY DIDN'T CHOOSE THAT WORD BUT FROM
4 ALL OF IT I THINK THE CITY OF COLUMBIA IS OPERATING A GROUP OF THUGS
5 ARMED WITH SIDE GUNS PAID BY THE TAXPAYERS. THEY CAME TO MY HOME
6 WHEN I WASN'T DOING ANYTHING AND FALSELY ARRESTED ME ON TWO
7 (INAUDIBLE) MISDEMEANOR CHARGES NOT WITNESSED BY THE POLICE
8 OFFICERS. THEY TOOK FROM MY HOME AND MY CAR THINGS THAT BELONGED
9 TO ME AND BELONGED TO MY MOTHER. THEY STILL ARE KEEPING MANY OF
10 THEM. THEY PUT A WOMAN WHO PRETEND THAT SHE'S MY ALLEGED VICTIM
11 WHO HAS THREE FELONY CONVICTIONS FOR STEALING CREDIT CARDS. THEY
12 PUT A MAN WHO CLAIMS I HARASSED HIM BY TAKING HIS PHOTOGRAPHS WHO
13 HAD THREATENED TO FORCE ME TO PERFORM A SEXUAL ACT ON HIM. AND HE
14 HAS A BURGLARY CONVICTION. HE HAS TWO CONVICTIONS OF POSSESSION OF
15 MARIJUANA, ONE CONVICTION OF POSSESSION OF A DANGEROUS ANIMAL,
16 THREE OR FOUR ARRESTS OF POSSESSION WITH INTENT TO DISTRIBUTE. AND
17 THEY WERE TRYING TO SAY THAT I AM THE CRIMINAL. IN ADDITION, MA'AM, IN
18 ADDITION I'VE RUN INTO YOUR HUSBAND NOT KNOWING THAT HE WAS YOUR
19 HUSBAND BUT IN ANY EVENT I WOULD HAVE SAID THE SAME THING HAD I --
20 AND HE HAD MENTIONED YOUR NAME AND I SAID THAT YOU ARE NOT A GOOD
21 JUDGE AND THAT YOU HAVE NO JUDICIAL INDEPENDENCE. AND I'M SURE THAT
22 WAS REPORTED TO YOU. I AM SURE THAT EVERYONE DESERVES A CHANCE TO
23 RISE ABOVE ALL OF THIS. I DOUBT THAT YOU WOULD BE FAIR AND IMPARTIAL
24 TO ME BUT IF YOU THINK YOU CAN AND YOU ARE GOING TO ASSURE ME THAT
25 YOU CAN --

1 **THE COURT:** DR. FALTAS, I HAVE ALWAYS BEEN FAIR AND
2 IMPARTIAL (INAUDIBLE) BUT DO YOU UNDERSTAND WHAT THE PROSECUTOR IS
3 ASKING FOR A CONTINUANCE SO -- I DON'T KNOW WHEN YOUR CASES ARE
4 GOING TO COME UP ON THE -- HE'S SAYING THAT HE THINKS THAT YOUR
5 MOTIONS SHOULD BE HEARD WHEN THE CASES ARE ON THE DOCKET. AND HE'S
6 ASKING FOR A CONTINUANCE. SO IF YOU ARE SAYING THAT YOU DON'T WANT
7 ME TO HEAR THE CASE TODAY THEN THAT MIGHT WORK FOR BOTH OF YOU ALL.
8 HE'S ASKING FOR A CONTINUANCE, I THINK YOU ARE ASKING THAT I GRANT
9 YOUR MOTION THAT I RECUSE MYSELF SO I HAVE NO PROBLEM CONTINUING
10 THE CASE TODAY IF THAT IS WHAT YOU -- I THINK THAT'S WHAT YOU ARE
11 ASKING FOR, I THINK THAT'S WHAT HE'S ASKING FOR.

12 **DEFENDANT FALTAS:** I'M ASKING THAT ANOTHER JUDGE BE
13 BROUGHT TODAY.

14 **THE COURT:** WELL, NO ONE ELSE WILL BE HERE TODAY BUT ME.
15 THE ONLY OTHER JUDGE IS JUDGE TURNER AND I BELIEVE THAT YOU'VE ASKED
16 THAT SHE RECUSE HERSELF ALSO.

17 **DEFENDANT FALTAS:** YES, MA'AM.

18 **THE COURT:** SO IT'S GOING TO HAVE TO BE CONTINUED.

19 **DEFENDANT FALTAS:** HOW --

20 **THE COURT:** I DON'T HANDLE -- AND I DON'T KNOW. I DON'T
21 HANDLE THE ADMINISTRATIVE PART OF IT BUT I WILL CONTINUE IT. I'M NOT
22 SURE WHEN YOUR CASES HAVE COME ON THE DOCKET BUT HE'S ASKING THAT
23 THE MOTIONS BE HEARD BY THE JUDGE THAT'S GOING TO HEAR THE CASE AND I
24 DON'T KNOW WHO THAT WILL BE.

25 **DEFENDANT FALTAS:** THESE ARE FOUR SEPARATE CASES. AND

1 I'D LIKE THE MOTIONS TO BE HEARD BEFORE THE CASES ARE CALLED FOR TRIAL
2 BECAUSE THESE PROSECUTORS ARE SUPPOSED TO BE MINISTERS OF JUSTICE.
3 THEY ARE THE ONLY LAWYERS IN THE ADVERSARY SYSTEM WHO HAVE A DUTY
4 BY LAW AND BY THE ETHICS OF THE LEGAL PROFESSION TO EXPLORE THE
5 EVIDENCE BOTH ON THEIR SIDE AND ON THE OPPOSITE SIDE. THEY HAVE A
6 DUTY TO DO THAT AND I AM ASKING THE JUDICIAL OFFICER TO HOLD MR.
7 FERNANDEZ TO THAT STANDARD SO HE CANNOT JUST KEEP CHARGES HANGING
8 OVER MY HEAD WITHOUT DOING HIS DUTY WHICH I HAVE PRESENTED IN THE
9 MOTION AND IN OTHERS THAT THERE IS FULLY EXCULPATORY EVIDENCE OF ME.
10 HE'S SUPPOSED TO EXPLORE EVERYTHING ON HIS OWN.

11 THE COURT: WELL, THIS IS WHAT I'M GOING TO DO. I'M GOING TO
12 CONTINUE THE CASE. I'M NOT SURE WHEN THEY ARE COMING UP ON THE
13 DOCKET BUT I WILL DIRECT THE PROSECUTOR TO GET DR. FALTAS ANY
14 EVIDENCE OR ANYTHING THAT YOU INTEND ON USING IN THE TRIAL AGAINST
15 HER ON ANY OF THESE CASES --

16 DEFENDANT FALTAS: NO --

17 THE COURT: HOLD ON ONE SECOND. WITHIN THE NEXT MONTH.
18 OKAY.

19 DEFENDANT FALTAS: NOT ONLY ANYTHING THAT HE'S TRYING
20 TO USE AGAINST ME, HE NEEDS HIMSELF TO GET ALL EXCULPATORY EVIDENCE.

21 THE COURT: HE UNDERSTANDS THE RULES OF EVIDENCE AND HE
22 UNDERSTANDS UNDER BRADY SHE NEEDS TO GET EVERYTHING THAT SHE'S
23 SUPPOSED TO GET.

24 MR. FERNANDEZ: YOUR HONOR, THE ISSUE BECOMES -- AND I'M
25 NOT SURE IF YOUR HONOR WANTS TO EVEN DELVE INTO IT BUT THE

1 DOCUMENTATION THAT THE DEFENDANT IS REFERRING TO WOULD BE STUFF
2 THAT GOES BEYOND THE SCOPE OF DISCOVERY. I THINK THAT'S WHERE THE
3 ISSUE --

4 THE COURT: WELL, I'M JUST -- I'M ORDERING YOU TO GIVE HER
5 WHATEVER IS UNDER BRADY THAT SHE'S ENTITLED TO.

6 DEFENDANT FALTAS: ACTUALLY, IT DOESN'T GO BEYOND THE
7 SCOPE.--

8 THE COURT: OKAY. WELL, YOU ALL WILL HAVE TO ARGUE
9 ABOUT THAT ON THE JURY TRIAL DATE WHENEVER THAT IS. I'M NOT SURE
10 WHEN THAT IS BUT I WILL GRANT THE CITY'S MOTION FOR A CONTINUANCE.

11 DEFENDANT FALTAS: BUT HE'S SUPPOSED TO GIVE ME THAT
12 WITHIN THE THIRTY DAYS AND THIS IS--

13 THE COURT: YES.

14 MR. FERNANDEZ: WE'VE HAD NO SPECIFIC HEARING ON
15 DISCOVERY. I WILL PROVIDE EVERYTHING THAT'S IN MY POSSESSION UNDER
16 BRADY THAT SHE'S ENTITLED TO. AS TO REQUESTED ITEMS THAT GO BEYOND
17 THE SCOPE OF BRADY OR DISCOVERY I WILL NOT BE PROVIDING THAT UNLESS
18 THE JUDGE --

19 THE COURT: THE JUDGE WHO IS TRYING THE CASE WILL -- IF SHE
20 HAS ANY OBJECTION WILL HAVE TO RULE ON THAT AT THAT TIME.

21 DEFENDANT FALTAS: YOUR HONOR, THERE ARE FOUR CASES AND
22 I WANT FOR THE RECORD TO ENTER MY NEW ADDRESS AND THAT IS POST
23 OFFICE BOX 9115.

24 THE COURT: CAN YOU GET HER NEW ADDRESS? AND SEE WE
25 DON'T EVEN HAVE YOUR FILE. I CAN'T REALLY GET INTO THE DETAILS BE-

1 CAUSE I DON'T HAVE IT. WHAT IS YOUR ADDRESS?

2 DEFENDANT FALTAS: POST OFFICE BOX 9115 ,COLUMBIA, SOUTH
3 CAROLINA 29209. THERE ARE FOUR FILES.

4 MR. FERNANDEZ: AND, YOUR HONOR, ACTUALLY THE ONE WE
5 COULD TAKE CARE OF SO THAT THE DEFENDANT DOESN'T BELIEVE THAT
6 THERE'S SOMETHING PENDING, THERE'S A CHARGE OF FRONT YARD PARKING
7 AND ACTUALLY I BELIEVE YOUR HONOR HEARD THE ORIGINAL TRIAL.

8 THE COURT: I BEGAN TO HEAR IT.

9 MR. FERNANDEZ: THAT IS ACTUALLY -- THIS MUNICIPAL COURT
10 AT THIS TIME HAS NO JURISDICTION OVER THAT CHARGE. THERE WAS A TRIAL,
11 THERE WAS -- I BELIEVE THE DEFENDANT GOT ILL DURING THE MIDDLE OF THE
12 TRIAL. IT WAS MISTRIED. THERE WAS AN APPEAL OF THE MISTRIAL, WENT ALL
13 THE WAY TO THE SUPREME COURT. THE SUPREME COURT REMITTED IT BACK TO
14 THE CIRCUIT COURT WHICH IS WHERE I BELIEVE THE CASE IS STILL PENDING IS
15 IN THE CIRCUIT COURT. WHAT CIRCUIT COURT IS GOING TO DO WITH IT, IF
16 THEY ARE GOING TO REMIT IT BACK TO MUNICIPAL COURT REMAINS TO BE SEEN
17 BUT FOR THESE PURPOSES THERE IS NO JURISDICTION FOR THIS COURT TO
18 HANDLE THE FRONT YARD PARKING CASE. THE THREE OTHER CHARGES ARE
19 PENDING I BELIEVE IN OUR SYSTEM, PENDING JURY TRIAL, BUT AS TO THE
20 FRONT YARD PARKING THAT IS NOT BEFORE US.

21 THE COURT: OKAY. ALL RIGHT. THANK YOU.

22 MR. FERNANDEZ: THANK YOU.

23 THE COURT: AND JUST FOR THE RECORD I BELIEVE MR. CLARKE
24 NEWTON IS THE STANDBY?

25 MR. NEWTON: YES. AND, YOUR HONOR, SO DR. FALTAS WOULD

1 LIKE FOR THE PUBLIC DEFENDER'S OFFICE TO REPRESENT HER, WE ONLY
2 REPRESENT HER CURRENTLY ON THE UNLAWFUL COMMUNICATION CHARGE. SO
3 THERE ARE THREE PENDING AND WE REPRESENT HER ON THE ONE.

4 DEFENDANT FALTAS: THEY ARE STANDBY. THEY ARE STANDBY
5 ON THE UNLAWFUL COMMUNICATION.

6 THE COURT: ALL RIGHT.

7 DEFENDANT FALTAS: BUT I WAS HOPING THAT SINCE MR.
8 NEWTON IS HERE AND MR. FERNANDEZ IS HERE AND I'M HERE AND THE COURT
9 HAS FINISHED OR ABOUT TO FINISH ITS BUSINESS FOR THE DAY, I'D LIKE TO BE
10 ABLE TO SPEAK TO MR. FERNANDEZ. YOU KNOW, I DON'T BITE. I'M A VERY
11 EDUCATED AND VERY PLEASANT PERSON AND I BELIEVE I ALWAYS
12 CONTRIBUTE TO WHOEVER SPEAKS TO ME SO I'D LIKE FOR MR. FERNANDEZ TO
13 SPEAK TO ME IN MR. NEWTON'S PRESENCE TO SEE HOW WE CAN RESOLVE THESE
14 MATTERS.

15 MR. FERNANDEZ: YOUR HONOR, IT'S ALWAYS BEEN THE POLICY
16 OF OUR OFFICE THAT ANY COMMUNICATIONS WOULD BE EITHER ON THE
17 RECORD, IN WRITING OR WERE THE DEFENDANT TO HAVE AN ATTORNEY WE
18 COULD CERTAINLY TALK THROUGH HER ATTORNEY.

19 THE COURT: HAVE YOU GOT ANY PROBLEM TALKING WITH HER
20 AND MR. NEWTON?

21 MR. FERNANDEZ: I DO. IF IT'S ON THE RECORD, I'M FINE WITH
22 THAT BUT I DON'T KNOW IF YOUR HONOR WANTS TO SIT THROUGH A
23 DISCUSSION ABOUT WHO KNOWS WHAT.

24 DEFENDANT FALTAS: WELL, I WANT TO TELL HIM THE
25 EXCULPATORY EVIDENCE THAT HE SHOULD -- I WANT TO PUT HIM ON NOTICE OF

1 --

2 THE COURT: WELL, CAN YOU DO THIS? CAN YOU SEND HIM A
3 LETTER? CAN YOU SEND HIM A LETTER WITH THE EVIDENCE?

4 DEFENDANT FALTAS: NO.

5 THE COURT: THAT'S WHAT I'M GOING -- WE ARE NOT GOING TO
6 SIT HERE AND DO IT ON -- CAN YOU SEND HIM A LETTER SAYING THAT -- WELL,
7 WHAT YOU NEED TO DO IS AFTER THIRTY DAYS IF HE HAS NOT DISCLOSED
8 SOMETHING YOU NEED TO SEND HIM A LETTER SAYING, MR. FERNANDEZ, THESE
9 ARE THE THINGS THAT YOU HAVE NOT DISCLOSED AND ASK HIM FOR AN
10 EXPLANATION AS TO WHY THEY WERE NOT DISCLOSED. AND THEN WHEN Y'ALL
11 COME BACK BEFORE THE JUDGE FOR A MOTION HEARING THEN AT THAT TIME A
12 JUDGE CAN TAKE UP WHETHER OR NOT HE DID NOT DISCLOSE PROPER
13 INFORMATION. THAT IS WHAT I WOULD SUGGEST BE DONE. WE ARE NOT GOING
14 -- HE DOESN'T WANT TO TALK TO YOU. YOU ARE SAYING THIS IS YOUR
15 STANDBY ATTORNEY SO MR. NEWTON CANNOT MAKE ANY DECISIONS ON YOUR
16 BEHALF SO I WOULD SUGGEST THAT IT BE DONE IN WRITING TO THE CITY
17 ATTORNEY'S OFFICE.

18 DEFENDANT FALTAS: MAY I JUST -- IF YOU COULD PLEASE HEAR
19 ME, MA'AM, PLEASE. THE REASON I DON'T WANT TO PUT THIS IN WRITING IS,
20 NUMBER ONE, THEY NEVER RESPOND. I WRITE UNTIL I'M BLUE IN THE FACE.
21 SECOND, SECOND, AS I SAID, YOU KNOW, THEY'VE BEEN TRYING TO TAKE MY
22 PROPERTY BUT THE ONE THING I CANNOT LET THEM TAKE IS MY SOUL AND
23 EVEN THOUGH I AM GOING, GOD WILLING, IF I HAVE TO I'M GOING TO
24 ZEALOUSLY REPRESENT MYSELF. I DON'T WANT TO EMBARRASS PEOPLE. THE
25 CLAIMED WITNESSES THAT HE HAS AGAINST ME HAVE HORRENDOUS CRIMINAL

1 RECORDS WHICH THEY PREVIOUSLY ACTIVELY CONCEALED. I DON'T WANT TO
2 EMBARRASS PEOPLE UNNECESSARILY.

3 THE COURT: WELL, DR. FALTAS --

4 DEFENDANT FALTAS: THAT IS WHY I WANT TO TALK TO HIM NOT
5 ON THE RECORD, NOT ON PAPER FOR THE SAKE -- MY COMPASSION, MY
6 FORGIVENESS.

7 THE COURT: WE ARE NOT GOING TO DO IT ON THE RECORD AND I
8 CAN'T FORCE HIM TO TALK TO YOU SO YOU'LL HAVE TO DO IT IN WRITING OR
9 YOU'LL HAVE TO DO IT WHEN IT COMES BACK BEFORE THE COURT WHENEVER
10 IT COMES UP ON THE DOCKET.

11 DEFENDANT FALTAS: WELL, FINE. BUT IF HE DOESN'T DO HIS
12 DUTY AS A PROSECUTOR TO EXPLORE THE EXCULPATORY EVIDENCE I'M GOING
13 TO FILE A GRIEVANCE WITH THE ETHICS --

14 THE COURT: WELL, I THINK YOU SHOULD SEND HIM SOMETHING
15 IN WRITING.

16 DEFENDANT FALTAS: NO. HE KNOWS WHO HIS WITNESSES ARE
17 AND HE KNOWS HOW TO GET THE CRIMINAL RECORDS.

18 THE COURT: OKAY.

19 DEFENDANT FALTAS: I DON'T THINK THIS IS SOMETHING I
20 SHOULD EDUCATE THEM ABOUT.

21 THE COURT: OKAY.

22 DEFENDANT FALTAS: AND HE CANNOT PLEAD IGNORANCE.

23 THE COURT: YOU CAN BRING THAT OUT WITH THE JUDGE THAT
24 HEARS THE CASE ON THE DATE IF HE DOES NOT PROVIDE SOMETHING HE'S
25 SUPPOSED TO PROVIDE. THANK YOU ALL.

1 MR. FERNANDEZ: THANK YOU, YOUR HONOR.
2 THE COURT: THANK YOU.
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6 (ADJOURNED)
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CITY OF COLUMBIA
SOUTH CAROLINA

OFFICE OF THE CITY ATTORNEY • POST OFFICE BOX 667 • COLUMBIA, SC 29202 • (803) 737-4242 • FAX (803) 737-4250

April 15, 2010

Ms. Marie A. Faltas
P.O. Box 9115
Columbia, SC 29290

RE: City of Columbia v. Marie A. Faltas

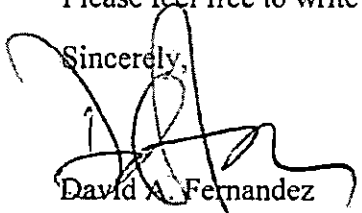
Dear Ms. Faltas:

I write with regards to your pending charges in the City of Columbia Municipal Court. Specifically, as was discussed on the record in an unrelated matter, it was brought to both my and the Court's attention that you seek a transcript and/or discovery relating to an alleged hearing in front of Judge Benjamin that you indicated occurred sometime in either February or March of this year.

I do not recall any such hearing. I have searched my old dockets for any indication of a hearing in front of Judge Benjamin or any notes indicating such, and have thus far found nothing. By copy of this letter I am asking Judge Turner if she is able to locate any evidence of such a hearing with Judge Benjamin or look into identifying when or if it occurred.

Please feel free to write if you have any questions or concerns.

Sincerely,



David A. Fernandez
Assistant City Attorney

DAF/sls

cc: The Honorable Dana D. Turner



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RE: City of Columbia v. Marie A. Faltas

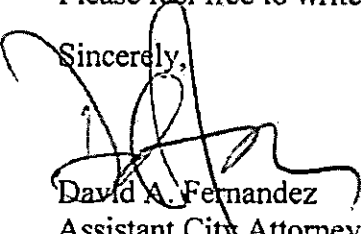
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Please feel free to write if you have any questions or concerns.

Sincerely,



David A. Fernandez
Assistant City Attorney

DAF/sls

cc: The Honorable Dana D. Turner

556 Heron Glen Drive
Columbia, SC 29229
April 26, 2010

Dr. Maria Faltas
Post Office Box 9115
Columbia, SC 29209

Dear Dr. Faltas,

I received your letter requesting the entire trial transcript of the trial that took place before the Honorable Judge Newman on February 22 through February 26, 2010. As you know, Assistant Solicitor Heather Weiss has ordered the testimonial portion of the trial only and not the colloquy portions of the trial.

According to your letter, you desire to order the entire trial transcript which would mean you would be paying \$3.25 per page for the colloquy portions of the transcript and 75 cents per page for the testimonial portions of the transcript, since the original of the testimony has been ordered by Ms. Weiss.

It is extremely difficult to break down a week-long trial into EXACT segments as to how long each portion will be and, thus, the following numbers are estimates because I will not have the exact count on the page numbers until I have completed the transcript in its entirety. I have estimated the colloquy portion of the trial to be 500 pages and the testimonial portion of the trial to be 710 pages. The total cost for the transcript for you would be \$2157.50, with the breakdown as follows:

500 pages @ \$3.25 = \$1625.00
710 pages @ 75 cents = 532.50

Because you are a pro se litigant, I require payment in full before I will produce the transcript for you. I realize that I will be typing the testimony for Ms. Weiss, but that does not negate the fact that I require payment in full from you for the entire transcript.

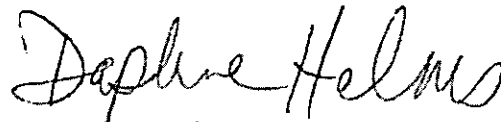
I am currently on extended leave per the FMLA guidelines and will be returning to work in June. However, I will be doing some typing while on this extended leave, though I am not required to. If I have not received the \$2157.50 from you by May 31, I will begin typing the testimony portion only that was requested by Ms. Weiss. If you change your mind and decide that you only desire a copy of the testimonial portion, then you will not need to send any monies now but, rather, I would send you an invoice upon the completion of this portion of the trial.

Please submit either a check for the \$2157.50 to cover the above-mentioned costs OR send me a letter letting me know that you have changed your mind and only desire a copy of the testimony. This way it will be clear to me what your desire is with regard to the transcript. If you send any monies to me, please send a cashier's check or money order only (no cash or personal checks) made out to me, Daphne Helms, and sent to the address you have on file for me.

If the Office of Indigent Defense is going to be paying for this transcript in its entirety, please write me and let me know and I will confirm this with Mr. Hugh Ryan of that office.

I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Daphne Helms". The signature is fluid and cursive, with the first name "Daphne" and last name "Helms" clearly distinguishable.

Daphne Helms
Circuit Court Reporter

CC: Desiree Allen, S.C. Court Administration



**CITY OF COLUMBIA
SOUTH CAROLINA**

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

May 28, 2010

Dr. Marie Assa'ad Faltas, MD, Phd.
Post Office Box 9115
Columbia, South Carolina 29209

Re: transcripts

Dear Dr. Faltas:

Please be advised that transcripts of the November 17, 2009 motion hearing before The Honorable Marion Hanna and the March 3, 2010 motion hearing before The Honorable DeAndrea Benjamin are available for you to pick up. Although we would normally charge \$3.50 per page and require a deposit, I told you in court that we would provide these transcripts for \$1.00 per page. Therefore, we will provide them to you for \$1.00 per page. The November 17th transcript is 14 pages and the March 3rd transcript is 13 pages.

The transcripts will be available in the Violations area of the Municipal Court, 811 Washington Street, Columbia, South Carolina and may be picked up after proper payment during normal business hours.

Sincerely,

Dana D. Turner
Chief Administrative Judge

cc: David Fernandez, Assistant City Attorney

Demand for a copy of the written transcript order from the Solicitor, if any.

From: Marie Faltas (marie_faltas@hotmail.com)

Sent: Sun 6/27/10 2:57 PM

To: Desiree Allen (dallen@sccourts.org); Mark A. Sawyer (sawyer@rcgov.us); Hugh Ryan (hryan@sccid.sc.gov); ogb-atty@sc.rr.com (ogb-atty@sc.rr.com); Herbert Buhl (hbuhl@bellsouth.net)

To Ms. Daphne Helms, Court Reporter, with copies as indicated above:

I am specifically requesting that you e-mail me forthwith a copy of the written transcript order for the 22-26 February 2010 jury trial in *State v. Marie Assa'ad-Faltas* before Circuit Judge Newman, which you transcribed, (and at the beginning of which I asked Judge Newman if he could have another court reporter assigned to the case. His response was that the court reporter assignment is not within his authority) which written transcript order you may have received from Assistant Fifth Circuit Solicitor Heather Weiss or from any member of the Fifth Judicial Circuit's Solicitor's Office regarding the said trial.

I specifically certify to you, and to all the recipients of this e-mail, that I was never copied with any written transcript order from Ms. Weiss or anyone else in her office to you about that trial. Mr. David Ross had once, in the presence of Captain White, suggested that his office had ordered the transcript but did not indicate to me that it was a selective order. Later, I tried to determine from him and from John Meadors (to whom I had fortuitously run in the courthouse as he was hurrying to a photo-op to take credit for the supposed solution of a murder where he and Columbia Police Department had bungled the investigation for three months) and he again was evasive. Thereafter, he ran *ex parte* crying to Judge Cooper that I "harassed" John Meadors by having tried to explain to him that the *State's* witnesses lied in my trial and that I can prove that by comparing their testimony in my trial with their testimony in other proceedings.

Later, I ran into you in the courthouse and you finally confirmed to me that the Solicitor had ordered what you called "bits and pieces" of that trial. I was never informed what "bits and pieces" they specified. You later wrote to me that your estimate of what they ordered is 700 pages and of the balance of the transcript is 500 pages.

If you never received a written transcript order but only received an oral order from the Solicitor's office, I hereby DEMAND that you so specify to me.

As to your suggestion that you would gladly type separately for me those parts which you admit deleting from the transcript you are preparing for the Solicitor, I wish to ask you seriously: exactly what would the transcript you now propose to prepare for me look like? Will it have its own serial page numbers? Or will it reference the page and line numbers of the transcript you would have prepared for Assistant Fifth Circuit Solicitor Weiss and say, for example, "insert this passage here" and "insert that passage there."

I am seriously asking: are you now proposing that there would be two separate collections of "bits and pieces" of the trial transcript, one collection for the Solicitor and another for me; and then the Solicitor and I are supposed to splice them together like a jigsaw puzzle and argue about what fits where?

I am seriously asking that question to know whether what you have deleted is lost forever or you are now requiring me to order the entire 1200 pages because you undertook to delete things a court reporter should never delete.

This is NOT a transcript order, which you asked me to not submit by e-mail. These are specific questions about what it is that you suppose I could be ordering from you. It is also a specific request for a copy of the written transcript order from the Solicitor or an admission that the order was only oral.

Thanks and God bless./Marie

RE: P.S. to email

From: Marie Faltas (marie_faltas@hotmail.com)

Sent: Sun 6/27/10 1:58 PM

To: Daphne Helms (dhelms@sccourts.org); ogb-atty@sc.rr.com (ogb-atty@sc.rr.com); Mark A. Sawyer

(sawyer@rcgov.us); Herbert Buhl (hbuhl@bellsouth.net); Desiree Allen (dallen@sccourts.org); Hugh Ryan (hryan@sccid.sc.gov)

Ms. Helms:

I did not ask from you or anyone else anything other than fairness, whether you were a Christian or an atheist. The reason I sent you an e-mail that I asked you to keep private (which you are fully free to publish if you wish) is that the New Testament is very clear about how Christians should handle grievances among each other: first, talk to your brother (or sister) who wronged you in private. If (s)he does not relent, take members of the church with you to talk to him/her in private. If that does not work, consider him/her like the gentile or idolater.

I have to omit the church members part because that may look inappropriate here.

Let me now be clear: I CONSIDER YOUR ADMITTING TO DELETION OF COLLOQUIES THAT OCCUR IN THE MIDDLE OF TESTIMONY A FORM OF FALSIFICATION OF THE TRANSCRIPT. You cannot in good conscience attest that a transcript is accurate and complete if you delete passages willy nilly from the middle.

I do not think you are qualified or authorized to decide what is testimony and what is colloquy.

Sometimes the line is not that clear. Moreover, it is possible for you (because you are not infallible) to have made

errors in the deletions. You could inadvertently delete inarguable testimony thinking it was colloquy. Or you could inadvertently delete the wrong line when you meant to delete the correct line.

A court reporter with integrity would have refused to take a transcript order that required her to delete parts of the proceedings from the middle of the proceedings. Sometimes *all sides* to the proceeding can stipulate that only certain portions be transcribed for the purpose of an appeal.

But I was never party or privy to any agreement you made with the Solicitor. That selectiveness is almost analogous to one party or the other giving you a transcript order for only the parts favorable to him/her. If you were given a transcript order specifying which parts to "delete" you should have rejected it as requiring you to produce an inaccurate transcript. If the transcript order left it to your judgment as to which parts to delete, you still should have rejected it as requiring you to deviate from your oath and duties as a court reporter. I would have had no problem if the Solicitor's transcript order required you to transcribe only from days two to four of the trial. That would have placed on you a duty to transcribe fully and accurately everything that occurred on days 2, 3 and 4 of the trial. **But for you to have accepted a written order that required you to delete passages from the middle of what you were transcribing is simply unprecedented and improper.** The only thing worse is if you did not actually have a written transcript order but were consulting with Assistant Solicitor Weiss as you went what parts to delete. In the event you willingly agreed in advance with Ms. Weiss what parts you would delete from the transcript and still present it as a complete transcript, even of the testimony, I consider that a conspiracy to tamper with the record.

During the trial itself, you were overly unfair to me even to the point I asked Judge Newman to see if another court reporter could be assigned to the case. You made faces and gestures which prejudiced me to the jury, then you apologized to me in the jury's absence. On another morning, you called Heather Weiss to the back and falsely accused me of surreptitiously recording the proceedings. Even after I assured you that I was not, you still went to Judge Newman *ex parte* and suggested to him that I was recording the proceedings. **In fact, more of the unfairness to me is that I was not allowed to independently audio-record the proceedings *exactly* for a contingency such as this.**

What if I am certain that a certain question was asked and answered in testimony but it does not show up in what you produce as a purportedly complete transcript of the testimony? *What is my recourse then? Wouldn't that be exactly putting a needle back in its place in the haystack?*

Further, as I explained to you and to everyone involved, the Assistant Solicitor herself made issue of the colloquies and of my opening and closing arguments and of my objections and of my opposition to her objections and almost of every breath I took during that trial. I e-mailed you her motion for me to have yet a fourth mental evaluation.

As to preparation, as soon as the trial ended, I asked you for an estimate of the transcript; and I filed a motion to Judge Cooper through Mark Sawyer. The motion came back with a stickie from Judge Cooper's law clerk that he wanted the trial judge to decide that motion. By that time, Judge Newman had become disqualified because his son is now running for City of Columbia Council Seat 2.

As soon as I received your April letter, I submitted another motion to Judge Cooper through Mr. Sawyer. That motion quoted the exact amount in your April letter. **Frankly, Mark Sawyer was not forthright with me about Judge Cooper's action or inaction on that motion.**

Additionally, on one of my e-mails, I asked you how come you will start typing the trial transcript immediately after 31 May 2010 even though you requested an extension to 22 June 2010 to complete the 17 December 2009 hearing transcript. You did not respond to me. In that e-mail or letter, I indicated that I would give you the payment for the balance of the trial transcript if Judge Cooper had not acted by then, when I received the hearing transcript from you. **YOU DID NOT RESPOND TO THAT.**

Frankly, I can see now it was all a conspiracy to selectively transcribe the parts of the testimony unfavorable to me and omit the parts favorable to me and embarrassing to others. In any event, I am **DEMANDING** a copy of the Solicitor's transcript order to you. If it was not a written order, think of the unfairness to me of some oral agreement behind my back for unspecified selectivity in which passages to type.

Thanks for your attention and God bless./Marie

> From: DHelms@sccourts.org

> To: marie_faltas@hotmail.com; Dallen@sccourts.org; sawyerm@rcgov.us; hryan@sccid.sc.gov;

hbuhl@bellsouth.net; ogb-atty@sc.rr.com

> Date: Sun, 27 Jun 2010 09:35:51 -0400

> Subject: P.S. to email

>

> Dr. Faltas,

>

> I meant to say please do not email me any more asking for the transcript. If you wish to order the transcript, please send me a letter requesting the transcript, with the necessary monies enclosed per my April letter, and I will proceed accordingly.

>

> Also, please do not send me any more emails with corrections. Please put all corrections in writing and mail to me through the regular mail.

>
 > Thank you,
 > Daphne Helms
 >
 > From: Marie Faltas [marie_faltas@hotmail.com]
 > Sent: Saturday, June 26, 2010 1:06 PM
 > To: Helms, Daphne D.; Allen, Desiree; Mark A. Sawyer; Hugh Ryan; Herbert Buhl; ogb-atty@sc.rr.com
 > Subject: My request that the trial transcript be complete, accurate, and easily legible.
 >
 > Ms. Daphne Helms, Circuit Court Reporter:
 > Over the past few days, there have been several exchanges of e-mails which culminated in the following:
 > 1. You delivered to me the complete transcript of the 17 December 2009 hearing in my General Sessions cases before Circuit Judge James George, Jr. That transcript is of a high quality of accuracy; and you agreed to correct some of the few typos in it which I pointed out to you.
 > 2. I indicated, however, that a transcript typed in all upper case letters is fatiguing to the eye to read and would be a problem with a trial transcript typed in all upper case letter. You kindly responded that the trial transcript will be in lower case letters with capitalizations as appropriate for the grammar, spelling and perhaps identifications of the speakers. I am grateful for that.
 > 3. The e-mails also resulted in written admissions to me my Mr. Sawyer that he knew Heather Weiss was planning to give me a copy of the transcript of those parts she ordered from you. Thereupon, I informed you and you objected to Mr. Sawyer and he agreed to mediate a resubmission of the issue of authorization of payments, at least for the copy, to Judge Cooper.
 > 4. Upon being informed that Judge Cooper is on vacation until after the 4th of July holiday, I asked Mr. Sawyer to see if Judge Cooper's law clerk would authorize the submission of that motion to another judge. After all, there are procedures for another judge handling the ADMINISTRATIVE duties of the Chief Administrative Judge for General Sessions when that judge is absent or disqualified. Mr. Sawyer has not responded to me on that.
 > 5. You indicated to me that you are now working on the trial transcript. And from a question you e-mailed me about the name of a party to another case that was brought up in the testimony, I estimate that you are about halfway through that transcript.
 > 6. I have previously e-mailed you, written to you, and on one occasion told you orally, that a fragmentary transcript would be unfair to me. I also emphasized that I needed you to tell me a reasonable thing I can do to ensure that you prepare the complete transcript at the first go so that it is accurate. I also wrote to several concerned that the entire transcript is needed because Ms. Weiss filed a motion to require me to undergo yet a fourth mental evaluation. She based that in large part on my opening and closing arguments to the jury at trial and on other trial events other than testimony. In fact, she even referenced by answer to a personal question you, Ms. Helms, asked me while the jury was out deliberating. So, there is no question that the entire transcript is needed in fairness to me.
 > 7. In another e-mail, you Ms. Helms, appeared to indicate to me that you were typing the non-testimony parts, then deleting them, to comply with Ms. Weiss' request. I respectfully reiterate my objection to that. In fact, I believe your court-reporter integrity should have made you insist on preparing a complete and accurate transcript or none at all and letting us rely on the tapes or something else.
 > 8. I wrote to you, and do hereby reiterate, that I had told you I thought you would not start the trial transcript until you have delivered the 17 December 2009 hearing transcript which is shorter than, and ahead in line of, the trial transcript. You did not deliver the hearing transcript until 21 June 2010.
 > 9. This is only 26 June 2010; i.e., only five days later. I am begging you: please tell me how much you need so you can go back and prepare the entire trial transcript in the actual and accurate order in which things took place in the trial.
 > 10. Although I have no funds of my own, I have access to borrowing. Please stop and tell me how much you need and how so this full transcript can be received no later than the beginning of August 2010, which is my understanding of the limits of your extensions from the Office of Court Administration.
 > 11. I will worry about the issue of my being reimbursed later.
 > 12. Mr. Sawyer has not been a good advocate for me on that issue; nor did he alert me early enough so I can request an opportunity to advocate for myself. He was talking to Judge Cooper, as pretty much everybody involved but I was, and not telling me what the substance or the result was.
 > I implore all the recipients of this e-mail to be fair to me and to help me get the truth.
 > Thanks and God bless./Marie
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 From: Helms, Daphne D. (DHelms@sccourts.org)
 Sent: Sun 6/27/10 9:39 AM
 Marie Faltas (marie_faltas@hotmail.com); Allen, Desiree (DAllen@sccourts.org); Mark A. Sawyer
 To: (sawyer@rcgov.us); Hugh Ryan (hryan@sccid.sc.gov); Herbert Buhl (hbuhl@bellsouth.net); ogb-atty@sc.rr.com (ogb-atty@sc.rr.com)

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Also, please do not send me any more emails with corrections. Please put all corrections in writing and mail to me through the regular mail.

Thank you,

Daphne Helms

From: Marie Faltas [marie_faltas@hotmail.com]

Sent: Saturday, June 26, 2010 1:06 PM

To: Helms, Daphne D.; Allen, Desiree; Mark A. Sawyer; Hugh Ryan; Herbert Buhl; ogb-atty@sc.rr.com

Subject: My request that the trial transcript be complete, accurate, and easily legible.

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I implore all the recipients of this e-mail to be fair to me and to help me get the truth.

Thanks and God bless./Marie

RE: My request that the trial transcript be complete, accurate, and easily legible.

From: Helms, Daphne D. (DHelms@sccourts.org)

Sent: Sun 6/27/10 8:18 AM

Marie Faltas (marie_faltas@hotmail.com); Allen, Desiree (DAllen@sccourts.org); Mark A. Sawyer

To: (sawyer@rcgov.us); Hugh Ryan (hryan@sccid.sc.gov); Herbert Buhl (hbuhl@bellsouth.net); ogb-atty@sc.rr.com (ogb-atty@sc.rr.com)

Dr. Faltas,

I wrote to you in April (I originally thought it was March but was not) letting you know in very specific detail how you might obtain a transcript. I even copied Desiree Allen on the letter. You emailed me about it later, and I referenced my original letter. You emailed me about it I believe a third time (I cannot remember for sure due to the large number of emails I have received from you), and I again referenced my original letter letting you know how you may obtain a transcript. This is the final time I will say this: Please reference the letter that I sent you in April. I gave you over a month to pay in advance so that the full and complete trial transcript would be produced.

Ms. Weiss requested only the testimonial portion of the trial. Because I want to comply with her request, I am omitting the colloquy portions of the trial, which includes colloquy that takes place in the midst of someone testifying. At times there is discussion that goes on and on for 10 minutes or longer in the midst of someone's testimony that is considered colloquy. If I include that in the transcript which she has ordered, I will not be complying with what she requested.

When I take down testimony in court, everything I am taking down is going on to a disk in my stenotype machine. I then do what's called "translate" the job where it takes my notes and translates them from steno to English. I then go through with recordings I've made of the proceedings and go over what's been translated to correct any errors I've made. It is an extremely tedious task. So as I've been going through typing the transcript that Ms. Weiss requested, I am deleting things that she does not want, namely colloquy, because it is not what she requested.

If I am to produce the full transcript for you, I will have to re-translate the notes that I took and start from the beginning. I am happy to do this for you. That has never been a problem. It's just that I require payment in full in advance before beginning a trial transcript from a pro se litigant and usually require it from attorneys as well. Trying to go back and "add in" what I have deleted would be like putting a needle back in a haystack in the exact place I found it. It is simply impossible.

You sent me several emails requesting that I go ahead and start typing the transcript in its entirety, and each time I referenced you back to the letter I originally wrote you letting you know how you may obtain the transcript, and I told you that I would not waiver from my position with regards to what I had written. I have not spoken to nor have I even seen Judge Cooper since the date of your trial in February. Thus, I have not said anything to him with regards to your trial transcript. If he had signed the order, I would have gladly typed the transcript in its entirety.

If you had complied with my original letter and had timely paid for the transcript in advance, since you do have others you can borrow the money from as you have stated, then you would not be in this situation now. Lack of preparation on your part does not create an emergency for me.

I am happy to type the transcript for you, but if it is ordered now with the prepayment amount that's stated in my April letter, it will be considered a separate request because it truly will be a separate request, since Ms. Weiss only requested the testimony and you, if you order the transcript, would be ordering it in its entirety.

Please do not email me again requesting the transcript and please do not try to make me feel guilty about this as you have tried to do in your email to me that you asked me not to share with others. I am happy to keep the contents of that email to myself, but I do not appreciate you trying to implicate that just because I am a Christian I should do this for you. My walk with God does not mandate that I give in to the desires of others just because that's what they want me to do. Please do not send me another email that you ask me to keep private and yet you are verbally coming against me because you think as a Christian I should be doing what you desire for me to do. In fact, please do not send me any more emails that you ask me to keep from others.

Again, I am not preventing you from ordering the transcript. I never have and I never will. I welcome typing the transcript for you. It will be on my terms though or the terms set out by my employer and not on your terms. I am not trying to be mean or rude. I am simply adhering to what I have now told you probably five or six times.

Also, before I forget, I did want to mention that you assume that I started on the trial transcript before typing the December 17 hearing transcript. This is not the case at all. I completed the December 17 hearing awhile back, but I gave it to my proofreader to read for me and it took her awhile to get it back to me. So while she was proofing that transcript, I began on the trial transcript testimonial portion.

Thank you,

Daphne Helms

From: Marie Faltas [marie_faltas@hotmail.com]

Sent: Saturday, June 26, 2010 1:06 PM

To: Helms, Daphne D.; Allen, Desiree; Mark A. Sawyer; Hugh Ryan; Herbert Buhl; ogb-atty@sc.rr.com

Subject: My request that the trial transcript be complete, accurate, and easily legible.

Ms. Daphne Helms, Circuit Court Reporter:

Over the past few days, there have been several exchanges of e-mails which culminated in the following:

1. You delivered to me the complete transcript of the 17 December 2009 hearing in my General Sessions cases before Circuit Judge James George, Jr. That transcript is of a high quality of accuracy; and you agreed to correct some of the few typos in it which I pointed out to you.
2. I indicated, however, that a transcript typed in all upper case letters is fatiguing to the eye to read and would be a problem with a trial transcript typed in all upper case letter. You kindly responded that the trial transcript will be in lower case letters with capitalizations as appropriate for the grammar, spelling and perhaps identifications of the speakers. I am grateful for that.
3. The e-mails also resulted in written admissions to me my Mr. Sawyer that he knew Heather Weiss was

planning to give me a copy of the transcript of those parts she ordered from you. Thereupon, I informed you and you objected to Mr. Sawyer and he agreed to mediate a resubmission of the issue of authorization of payments, at least for the copy, to Judge Cooper.

4. Upon being informed that Judge Cooper is on vacation until after the 4th of July holiday, I asked Mr. Sawyer to see if Judge Cooper's law clerk would authorize the submission of that motion to another judge. After all, there are procedures for another judge handling the ADMINISTRATIVE duties of the Chief Administrative Judge for General Sessions when that judge is absent or disqualified. Mr. Sawyer has not responded to me on that.

5. You indicated to me that you are now working on the trial transcript. And from a question you e-mailed me about the name of a party to another case that was brought up in the testimony, I estimate that you are about halfway through that transcript.

6. I have previously e-mailed you, written to you, and on one occasion told you orally, that a fragmentary transcript would be unfair to me. I also emphasized that I needed you to tell me a reasonable thing I can do to ensure that you prepare the complete transcript at the first go so that it is accurate. I also wrote to several concerned that the entire transcript is needed because Ms. Weiss filed a motion to require me to undergo yet a fourth mental evaluation. She based that in large part on my opening and closing arguments to the jury at trial and on other trial events other than testimony. In fact, she even referenced by answer to a personal question you, Ms. Helms, asked me while the jury was out deliberating. So, there is no question that the entire transcript is needed in fairness to me.

7. In another e-mail, you Ms. Helms, appeared to indicate to me that you were typing the non-testimony parts, then deleting them, to comply with Ms. Weiss' request. I respectfully reiterate my objection to that. In fact, I believe your court-reporter integrity should have made you insist on preparing a complete and accurate transcript or none at all and letting us rely on the tapes or something else.

8. I wrote to you, and do hereby reiterate, that I had told you I thought you would not start the trial transcript until you have delivered the 17 December 2009 hearing transcript which is shorter than, and ahead in line of, the trial transcript. You did not deliver the hearing transcript until 21 June 2010.

9. This is only 26 June 2010; i.e., only five days later. I am begging you: please tell me how much you need so you can go back and prepare the entire trial transcript in the actual and accurate order in which things took place in the trial.

10. Although I have no funds of my own, I have access to borrowing. Please stop and tell me how much you need and how so this full transcript can be received no later than the beginning of August 2010, which is my understanding of the limits of your extensions from the Office of Court Administration.

11. I will worry about the issue of my being reimbursed later.

12. Mr. Sawyer has not been a good advocate for me on that issue; nor did he alert me early enough so I can request an opportunity to advocate for myself. He was talking to Judge Cooper, as pretty much everybody involved but I was, and not telling me what the substance or the result was.

I implore all the recipients of this e-mail to be fair to me and to help me get the truth.

Thanks and God bless./Marie

0:00:00 to 0:00:09: Sounds

0:00:10 to 0:00:15: Marie: Officer Harmon, tell me if you want to, if you want me to say something somewhere to test the (?)

0:00:16 to 0:00:17: Officer: That's fine.

0:00:17 to 0:00:18: Marie: So, could I test mine?

0:00:18 to 0:00:19: Officer: Sure.

0:00:19 to 0:0:20: Marie: Thank you.

0:00:20 to 0:00:35: Sounds

0:00:36 to 0:01:02: Marie: Uh. (Sounds) Uh. Okay. First, testing, testing, testing.

0:01:02 to 0:01:03: Officer: (?)

0:01:03 to 0:0:08: Marie: Who did? Mr. Fernandez?

0:01:00 to 0:01:10: Sounds ["testing, testing, testing" and Officer's (?) replayed]

0:01:11 to 0:01:25: Marie: All right. Ms. Hawkins, you told me that, yes, it was for the 19th. And now, I get this. This is two conflicting ---

0:01:25 to 0:01:26: Pamela Hawkins: (interposing) Apparently, they changed it.

0:01:25 to 0:01:26: Marie: Who did?

0:01:27 to 0:01:30: Pamela Hawkins: I don't know who did this. You have to talk to Legal about this. I don't know.

0:01:31 to 0:0:33: Marie: Okay.

0:01:34 to 0:01:35: Pamela Hawkins: It's not us.

0:01:31 to 0:0:33: Marie: All right. Is Mr. Fernandez coming?

0:01:34 to 0:01:35: Pamela Hawkins: No. He's not.

0:01:35 to 0:02:06: Marie: He's not here? You didn't talk to him? Okay. The other thing, if you please, is: I'd like this sealed once I look at it so no one adds to it and no one subtracts from it. I mean it doesn't mean anything that I see some things now and then later someone else says "No, this is different. We have more or we have less."

0:02:07 to 0:02:13: Pamela Hawkins: There is no way for me to seal it. I'm not in charge of that. I cannot help you. Legal is. And it's their, it's their information and it's their documents; and you have to talk to them.

0:02:14 to 0:02:20: Marie: Well, could you please transmit to them that I want somebody from Legal over here so that, once I look at it, (?) ---

0:02:21 to 0:02:25: Pamela Hawkins: (interposing) She's coming. Once you look at it, she needs to come here and pick it up.

0:02:25 to 0:02:26: Who is she?

0:02:27 to 0:02:28: Pamela Hawkins: Jennifer (?)

0:02:29 to 0:02:36: Marie: No, it has to stay here. This is supposed to be discovery and it has to be, to stay with the case file.

0:02:37 to 0:02:40: Pamela Hawkins: All I know is they will have that stuff.

0:02:41 to 0:02:42: Marie: No, I understand that.

0:02:43 to 0:02:45: Pamela Hawkins: Right. And I know what you're saying but I apparently that's not the case (?).

0:02:45 to 0:02:52: Marie: But Legal has the burden to put discovery in the case file and they have an open-file policy.

0:02:53 to 0:03:00: Pamela Hawkins: (?)look at it and I'll let them know

0:03:01 to 0:03:02: Marie: Please. And I am saying "please," and I am talking very politely.

0:03:03 to 0:03:04: Pamela Hawkins: You are.

0:03:02 to 0:03:20: Marie: All right. Please convey to them that I want someone from Legal here so that whatever is evidence, once I look at it, it is sealed so no one else adds to it or subtracts from it.

0:03:20 to 0:03:21: Pamela Hawkins: I'll relay that to them.

0:03:22 to 0:03:23: Marie: And please give me a response.

0:03:23 to 0:03:24: Pamela Hawkins: I will.

0:03:24 to 0:03:25: Marie: Thank you, ma'am.

0:03:25 to 0:03:25: Pamela Hawkins: You're welcome.

0:03:25 to 0:03:30: Sounds

0:03:30 to 0:03:34: April Sampson: I will be here. I have to leave at 2:50. So, .

0:03:35 to 0:03:3: Marie: Okay. This is why I need to see the evidence.

0:03:42 to 0:04:30: Sounds

0:04:30 to 0:4:43: Marie: The, the other thing I want to put on the record, I'm sorry, if Ms. Hawkins can come back, the letter still has the K-613866, which was *not prossed*. It's still saying it's being continued.

0:04:52 to 0:04:54: April Sampson: I can't talk to them for you.

0:04:54 to 0:05:01: Marie: I mean, there is nothing useful you can do. I just want to that so that she can get me a response.

0:05:01 to 0:05:35: Sounds

0:05:35 to 0:05:36: Marie: Well, Officer Harmon, I forget your name.

0:05:36 to 0:05:40: Officer Linen: I'm Officer Linen.

0:05:40 to 0:05:41: Marie: Lenin?

0:05:41 to 0:05:42: Officer Linen: Uh-huh.

0:05:42 to 0:05:47: Marie: As, as Vladimir Lenin, the leader of the Russian Revolution?

0:05:47 to 0:05:48: Officer Linen: It is spelled differently.

0:05:53 to 0:06:03: Marie: Okay, Officers Harmon and Linen, I need a copy of this. I was never given a copy of this. Is there any way I could ask that you can start making copies now please?

0:06:03 to 0:06:05: Officer: I'll have to get some response from the City.

0:06:05 to 0:06:08: Marie: Okay. All right. Thank you.

0:06:08 to 0:06:09: Officer: Please start

0:06:12 to 0:06:16: Marie: Okay. So, first off, may I put to the side the things of which I need copies?

0:06:16 to 0:06:17: Officer: That's fine.

0:06:17 to 0:06:18: Marie: Thank you.

0:06:18 to 0:06:40: Sounds

0:06:41 to 0:07:00: Officer (on the phone): Hey, is Ms. Hawkins there yet? Is Pam Hawkins over there? No, I was just told Dr. Faltas needs to see her. Yes, ma'am. Thank you. Bye.

0:07:00 to 0:08:24: Sounds

0:08:24 to 0:08:34: Marie: Uh. Okay. First, I wanted to tell you that this letter still has this number, which is the unlawful use, which was *not prossed*.

0:08:34 to 0:08:35: Pamela Hawkins: Yes, we know.

0:08:36 to 0:08:39: Marie: It is still says it's continued over term. Well, they can't have it both ways.

0:08:40 to 0:08:41: Pamela Hawkins: Who signed that letter?

0:08:42 to 0:08:43: Marie: David Fernandez.

0:08:43 to 0:08:44: Pamela Hawkins: You'd have to take that up with him.

0:08:44 to 0:08:54: Marie: Well. Okay. He's not letting me talk to him. The other thing is: I need a copy of this. There are, there may be many things of which I'm going to need copies ---

0:08:55 to 0:08:56: Pamela Hawkins: (interposing) I'm not gonna be making you any copies, Dr. Faltas.

0:08:58 to 0:08:40: Marie: Well. I mean, it's my right.

0:08:42 to 0:08:45: Pamela Hawkins: for you to look at.

0:09:01 to 0:09:05: Marie: Well, could you please check?

0:09:06 to 0:09:07: Pamela Hawkins: No. There is no one in the office.

0:09:08 to 0:09:10: Marie: Fernandez is gone?

0:09:42 to 0:08:45: Pamela Hawkins: Must be at lunch.

0:09:13 to 0:09:16: Marie: Well, could you please check with him when he comes back from lunch, or leave him a message, please?

0:09:16 to 0:09:07: Pamela Hawkins: you look at it .

0:09:13 to 0:09:05: Marie: Or talk to his superior?

0:08:42 to 0:08:45: Pamela Hawkins: We're not gonna copy a bunch of stuff

0:09:13 to 0:09:05: Marie: Well, how can I look at a CD?

0:08:42 to 0:08:45: Pamela Hawkins: We're not gonna copy a bunch of stuff

0:09:30 to 0:09:35: Marie: That's a CD. It's a CD. This is a CD. Here, this, it's a Cd.

0:09:36 to 0:09:37: Pamela Hawkins: Well, I'll have to check on that. You just go on until I find out about that.

0:09:38 to 0:09:45: Marie: Thank you. Could you also Mr. Fernandez' supervisor. There are many things you can do.

0:09:46 to 0:09:07: Pamela Hawkins: Well, you know, this is between you and your attorney and .

0:09:50 to 0:09:55: Marie: I don't have an attorney.

0:09:55 to 0:09:37: Pamela Hawkins: Well, anyway,

0:10:01 to 0:10:04: Marie: She's not even stand-by any longer. She's just here because

0:10:05 to 0:10:06: Pamela Hawkins: That doesn't matter. Just look at it and then we will talk about all that stuff later on.

0:10:07 to 0:10:08: Marie: I'm asking, please, for the tenth time,

0:10:09 to 0:10:11: Pamela Hawkins: I can't deal with all that stuff. I don't know. I cannot.

0:10:13 to 0:10:19: Marie: I mean, please, ask Mr. Cooper since Mr. Fernandez went to lunch.

0:10:20 to 0:10:21: Pamela Hawkins: I don't know. I'm not calling.

0:10:21 to 0:10:22: Marie: Why not?

0:10:23 to 0:10:32: Pamela Hawkins: I can't do that. Just take a look at it for now. Anything else. I cannot do anything else, Dr. Faltas.

0:10:33 to 0:10:34: Marie: This is a CD. It doesn't tell me anything

0:10:35 to 0:10:36: Pamela Hawkins: Look at anything else.

0:10:21 to 0:10:22: Marie: Okay.

0:10:45 to 0:11:06: Sounds

0:11:06 to 0:11:30: Marie: This is .

0:11:30 to 0:22:22: Sounds

0:22:22 to 0:25:33: Marie: Uh. I will read for the record some documents that I'm seeing for the first time and I would like copies of them. One of them is an e-mail to Overture Walker from Ken Gaines. This is Monday, November 24th, 2008, at 2:00 pm. "To: Overture Walker. Subject: RE: Your Thoughts question mark" and it seems that this is comment from Ken Gaines "took some words out and added some." "Copy the City Clerk with e-mail as well. Don't suggest you refer to the Mayor and Manager as You Guys." And then there is apparently was a, an e-mail from Overture Walker to Gen Gaines, Robert Cooper, Dana Thye, on Monday, November 24th, 2008, at 1:27 pm. Mr. Gaines' response was at 2:00 pm. So, it says "Mayor Coble and City Manager Austin: This past Friday, November 21st, 2008, you both were subpoenaed by Marie Faltas to appear as witnesses in the municipal court case of Columbia," "of City of Columbia versus Marie Faltas. The subpoenas were served on the City Clerk Erica Salley. Ms. Faltas is charged with front-yard parking and seems to believe that you are material witnesses with respect to records concerning the ordinances issued. She moved before the trial judge to have you both held in contempt for failing to appear. I moved to have the subpoenas quashed on the ground that they were defective and service was improper. The judge granted the City's motion and quashed the subpoenas. We proceeded with a jury trial but recessed for the evening after the City's opening statement when Ms. Faltas complained of a rapid heart beat. EMS was called to the courthouse and transported Ms. Faltas to a local hospital. A mistrial was

ordered the next morning when Ms. Faltas, Judge Benjamin, and the prosecutor at," "prosecuting attorney caucused in the judge's chambers via conference call and Ms. Faltas indicated she was still receiving medical attention. There is strong likelihood that you could be subpoenaed again when this case hits the docket at the beginning of the new year. In the event you or any of your staff receive a subpoena, please fax it to the legal" "to the legal department at 737-4250 immediately." And it has Overture Walker. And then there is another one. I guess that's the one that has "Your views?" I'm not going to read it altogether.

0:25:44 to 0:26:26: Marie: I also would like a copy of a check from McKenzie to McDonald, McKenzie, Rubin and Lybrand, dated November 17, 2009, to the City of Columbia by which they requested a payment of the, they made a payment of a copy of the front-yard parking trial. And apparently they were charged \$16.25 for 65 pages at 25 cents each. And that is the receipt. So, I'm reading for the record the things of which I would like a copy. And of course I had requested a copy of this CD.

0:26:27 to 0:27:06: Sounds

0:27:07 to 0:28:31: Marie: I also would like copies of a letter to me dated, a letter from me to them dated November 5 of 2009, which is hand-written; a letter from Mr. Fernandez to me dated November 5, 2009; a fax to Chief Turner from David Fernandez; and another fax-transmittal sheet, David Fernandez to Chief Turner. There is a fax-transmittal sheet. There is May 28th letter saying that the transcript is complete. I just need that letter. The transcripts are in the file. I have them and I don't need copies of them.

0:28:32 to 0:28:40: Sounds

0:28:40 to 0:28:50: Marie: I do need copies of the defendant, Mr. Fernandez' letter to me dated November 5, 2009.

0:28:50 to 0:29:15: Sounds

0:29:16 to 0:29:40: Marie: I do need a copy of the letter dated March 14, 2010, from Mr. Fernandez to Mr. Clarke Newton with the fax-transmittal sheet; and it says "4 pages." I do not know, however, what the other two pages are. But I do need that.

0:29:40 to 0:31:28: Sounds

0:31:28 to 0:32:00: Marie: This, I also need a fax that seems to have gone from (803) 733-8542, CPD Criminal Investigations on 11/09/2009 and it says, it starts with "page 2 of 37" and does not, I'm sorry, "2 of 27" and does not have You're picking up? It's recording?

0:32:00 to 0:32:05: Officer: Yes, ma'am.

0:32:07 to 0:33:30: Marie: Okay. It goes through "12 of 27," then there is a gap, then there is "22 of 27," "23 of 27," and then there are two pages. One of them says "page," one of them says "page 2" and it appears to have gone from "jury trials scheduling" number: areas code (803) 545-3193, dated 9/28/2008 and page, and this page, apparently a courtesy summons by Dinah Steele against Marie Faltas. Page 3 is a courtesy summons, also by Dinah Steele against Marie Faltas but seems to be for a different matter. Uh, and ...

0:33:30 to 0:33:38: Sounds

0:33:38 to 0:34:50: Marie: Then there is a set of pages that start "15 of 27," "18 of 27," and then there is "13 of 27," "14 of 27," "15 of 27," and then there is "19 of 27," "20 of 27," "21 of 27." They may be the rest of this fax. There is with them, however, a business card from Larry Mason that says "Triple A Investigative Services Reliable Confidential Free Consultation." It has hand-written on it "Dinah Steele Mason." It says Larry Mason, Triple A Investigative Services, LTD, Columbia, SC, Office 736-9900 Mobile 331-1000." I do need a copy of that.

0:34:50 to 0:34:55: Sounds

0:34:55 to 0:35:50: Marie: Then there is a set that's pages "24 of 27" and "27 of 27"; another set that's "25 of 27" and "26 of 27." There are documents filed by me. There is one document filed by me dated November 4, 2009, and it is stamped "Received" by "Legal Department" and it is "Motion to Dismiss and enter a judgment of formal acquittal in this case of in the alternative for a continuance of this case." I do need a copy of that.

0:35:50 to 0:35:55: Sounds

0:35:55 to 0:37:25: Marie: There is a list, which is stapled to the back of the file cover. It says Marie Faltas "after notice." And 066971 and 06994, "unlawful use of telephone" K-6136866, front-yard parking 6034. I need a copy of this. I need the record to also reflect that April Sampson left the room a while ago, although

all the time she has been working on her own computer, apparently on something else. There is another CD which says 3 Byron Road; and there are initials; and then there -22-10. I do not know what that is but I do need a copy of it because it, there is a paper clip attaching it.

0:37:25 to 0:37:27: Sounds

0:37:28 to 0:41:25: Marie: Then there is a document which I never received, which says "State of South Carolina, County of Richland, attached report, case number 2009cv401063496, dates of violations of defendant Marie Faltas." "She is ordered by the court to stay away from, and to not harass or stalk the plaintiff," and plaintiff is misspelled. It's in the plural instead on the possessive. Larry Mason and Dinah Steele Mason. The defendant Faltas continuously, continually harassed the defendants while they are working on the rental property at 300 and 304 Byron Road. And "Road" is misspelled. It's lower case. Columbia, South Carolina. The defendant has been arrested on or about December 4 and July 8 by the City of Columbia Police and is presently awaiting trial. The defendant was ordered by Judge Burns not to go back upon the property at 300 and 304 Byron Road." Again, "Road" is misspelled. "This ordered was later followed by four more judges." "The defendant continually disregards the court order and returns to the property to harass the plaintiffs," again, "plaintiffs" is in the possessive, not the plural, "and the tenants at Byron Road Apartments." "March 17 to 18 to 19, 2010, while working at the apartment complex, 300 and 304 Byron Road, Columbia, South Carolina, the defendant harassed the plaintiffs, again, "plaintiffs" is in the possessive, not the plural, "and a sub-contractor while working at the complex by calling the police, Zoning, City of Columbia Fire, etc." "March 22, 23, 24, 2010, Defendant harassed the plaintiffs," and again, "plaintiffs" is misspelled because it's in the possessive, not the plural, "while they were painting the building by calling them names, calling the police on them, and harassed the sub-contractor." "April 1, 3, 15" comma "2010, the defendant came to the apartment complexes 300 and 304 Byron and harassed the plaintiffs," again misspelled, "while they were conducting maintenance." "June 25, 2010, Defendant at the apartment complex entered the building 304." "July 8, 2010, Defendant was arrested by CPD for trespassing on property." "July 12, 2010, the defendant was back at the apartment complex harassing the plaintiffs," again, "plaintiffs" misspelled, "as they were mowing the grass by calling them names and taking photos, etc." "August 1 to 15, 2010, the defendant had, has shown up at 300 and 304 Road" comma "almost daily either attempting to follow the plaintiffs," again, misspelled, "and/or tenants attempting to question them or make indirect threats to them." "On or about August 2, 2010, defendant attempted to follow plaintiff Larry Mason with her vehicle, taking photos" "photos" again misspelled, it's in the possessive, not the plural, "etc." "August 16, 2010, defendant attempted to follow plaintiff and ." "There are other dates that are" "two" "numerous," and "too" is misspelled. It's t-w-o. "numerous." "The defendant." I need to change the tape.

0:41:25 to 0:41:27: Sounds

0:41:28 to 0:41:25: Marie: Let me check, rewind and recording.

0:41:25 to 0:43:00: Sounds

0:43:00 to 0:43:02: Marie: Testing, testing, testing.

0:43:02 to 0:43:12: Sounds ("Testing, testing, testing." replayed)

0:43:14 to 0:44:02: Marie: This is the second tape. Uh. And this is continuing to, reading from an undated, uh, something called "attached report" that I was never given and that is signed by Larry Mason and somebody that says "Dinah Steele Mason." The last paragraph says "There are other dates that are" "two" numerous" and "too" is misspelled "t-w-o" "the defendant Faltas continually on a daily basis shows up at the Byron Road address in an effort to harass or take photos of the plaintiffs" and again "plaintiffs" is misspelled in the possessive, not the plural.

0:44:02 to 0:44:04: Sounds

0:44:04 to 0:44:54: Marie: There is an envelope that has, uh, somebody's handwriting that says "arrested December 2, 2009, assault and harassment bond December 3, 2009" "December 17-change bond to get things out of apartment with police." "Judge James January 7 change bond denied Judge James to get back into apartment" "February 26 Judge Manning no change in bond" "7 judges to get back into apartment all denied" "Bluff Road left 3.2 miles Alvin Glenn Center" I do need a copy of that.

0:44:54 to 0:45:04: Sounds

0:45:04 to 0:45:14: Marie: There is a color photo dated 2/2/10. I do need a color copy of that.

0:45:14 to 0:45:20: Sounds

0:45:20 to 0:45:34: Marie: There is a color copy, a color photo dated 4/6/10. I do need a color copy of that.

0:45:34 to 0:45:46: Sounds

0:45:46 to 0:45:51: Marie: There is a color photo dated 4/10/10. I do need a copy of that.

0:45:51 to 0:45:56: Sounds

0:45:57 to 0:46:21: Marie: There is a color copy that has handwriting that says 4/10/10 but the date stamp on the picture says 4/18/2010. There is a discrepancy; and I do that, I do need that either way.

0:46:21 to 0:46:23: Sounds

0:46:23 to 0:46:35: Marie: There is a photograph with hand-written notation "7/8/10" I do need a copy of that, color copy of that.

0:46:35 to 0:46:37: Sounds

0:46:38 to 0:46:43: Marie: And another dated "7/8/10" I do need a copy of it in color.

0:46:44 to 0:47:17: Sounds (outside someone yells "What's up?" but another shushes)

0:47:17 to 0:47:42: Sounds

0:47:41 to 0:47:45: Marie: I'm sorry. Is there any reason everybody's here like this?

0:47:47 to 0:47:49: Marie: Okay. What about Officer Wise?

0:47:50 to 0:47:52: Sounds

0:47:53 to 0:48:15: Marie: Well. Okay I'm doing something. If you can all talk to each other somewhere else I'd appreciate it because (?). Officer Harmon is already here. If Officer Avery would like to stay, that's fine. But for there to be five officers, that's a bit much.

0:48:15 to 0:48:18: Sounds

0:48:18 to 0:48:19: Marie: Thank you.

0:48:20 to 0:48:38: Sounds

0:48:43 to 0:49:43: Marie: There is a memorandum, "Official City Attorney" "Requested for David A. Fernandez Assistant City Attorney" uh "to Jennifer Blair 911 Communications from Shirlene Streeter Legal Assistant" "date July 9, 2008," "Re 911 closed incident reports and each," "and audio tape." "Jennifer, David Fernandez would like a copy of this closed incident report and also a copy of the call as soon as possible." "Case number 10-18968" "incident date 7/8/10" "Dispatch depart time 12:18 to 12:23" "Location of incident 304 Byron Road" "Responding Officer Max" "McSwain and Ashmore" "Defendant Marie-Therese H. Assa'ad Faltas."

0:49:44 to 0:49:50: Sounds

0:49:51 to 0:51:19: Marie: And then there is a fax-transmittal sheet July 9, 2010, fax number 733-8500. It's "from the office of the City Attorney to Edgar," and I'll spell that name "H-E-U-S-T-E-S-S" dash "fleet services" "from Shirley Ann L. Streeter, paralegal for the City of Columbia." "RE City of Columbia versus Adam Bonnette Jury Trial July 13, 2010," "seven pages including cover" "Please call Shirley Ann Streeter at 737-4242 if all are not received." "Attached please find copies of work order job work sheet that you provided to Constance Holloway regarding Unit 21233. This case is scheduled for trial on Tuesday, July 13th, and Constance would like you to be on" and that's between apostrophes "stand-by in case she needs you to verify the authenticity of these documents." "If you had any question," "If you have any questions, please give Constance a call." "Sent from" and

0:51:19 to 0:51:25: Sounds

0:51:26 to 0:51:40: Marie: And then there is Columbia Police Department fax cover sheet 512109 to "N Streeter" "Name of Company: Legal." I do not know what this is about.

0:51:40 to 0:52:36: Sounds

0:52:37 to 0:52:49: Marie: There is a receipt dated August 20th, 2010. Attached to it is another receipt. And I would like copies of those.

0:52:50 to 0:54:10: Sounds

0:54:11 to 0:55:40: Marie: There is a rap sheet that says "Attention Turner" and it's dated "2010-08-26" eight, the time "8:49:32." I imagine 8 o'clock 49 minutes and 32 seconds. And it iden, it's the arrest record of Charlene Crouch. It is one of five pages. I need a copy of that. It starts, uh, the first arrest, Charlene

Crouch is identified as having "birth dates of 12/02/1968 and 11/02/1968" and three different social security numbers: "248-49-7878, 249-49-7879, 249-49-7878" Uh. Charlene Crouch's arrest record starts, on this particular rap sheet, starts with an arrest dated "07/30/1986."

0:55:41 to 0:56:00: Sounds

0:56:01 to 0:56:34: Marie: And there is two arrests from 2007, one dated 07/10/2010 [verbatim] for felony charge, "arrest charge 1: grand larceny" and then, on 10/17/2010 [verbatim] there is another arrest charge for possession of 28 grams or less of marijuana/10 grams or less hashish"

0:56:34 to 0:56:39: Sounds

0:56:40 to 0:57:19: Marie: And then there is "page 1 of 1" where it says, it really has no name but says "not guilty on bench trial of possession of marijuana" and it seems to be sent to Columbia Municipal Court. I do need this "page 1 of 1" and the date is 20, 2010-08-26. And it seems to be one minute after the other one. I do need a copy of this one as well.

0:57:20 to 0:57:37: Sounds

0:57:37 to 0:58:19: Marie: There seems to be a request for, uh, the arrest record of Larry Mason "date of birth 1945-05-30." Uh, it has "Notice: a large number of records for persons born prior to 1956 are not automated at the FBI. If a search of the non-automated file is desired, a (?) should be submitted." And that is also dated 2010-08-26 at 08:47:34. I do need a copy of that.

0:58:20 to 0:58:23: Sounds

0:58:24 to 0:58:38: Marie: There is an e-mail from me to several persons. I do need a copy of it. And the, that is dated August 26, 2010, 11:53 am.

0:58:38 to 0:58:45: Sounds

0:58:45 to 0:59:02: Marie: There is what seems to be a print-out of a rap sheet for me dated 2010-07-10 at 9 o'clock 50 minutes and 14 seconds.

0:59:03 to 0:59:05: Sounds

0:59:05 to 0:59:13: Marie: It does have three arrest records on it. I do need a copy of that.

0:59:13 to 0:59:47: Sounds

0:59:48 to 1:00:06: Marie: There is a motion by, and certificate of service, by Mr. Schnee, uh, dated September 7, 2010, stamped "Received" at the legal department and also in municipal court. I do need a copy of that.

1:00:06 to 1:00:14: Sounds

1:00:15 to 1:00:46: Marie: There is a letter from Mr. Schnee to Mr. Fernandez that's dated October but no day. It's received, stamped "received" by the legal department October 1, 2010. It says "Mr. Fernandez," "Re: Dr. Marie Faltas" "Mr. Fernandez, enclosed are three DVD blanks. Please copy the video DVDs you have and let me know when I can send my paralegal to pick them up."

1:00:46 to 1:00:55: Sounds

1:00:55 to 1:01:06: Marie: There is an envelope that has three DVDs. I do not know if they have recordings on them or not.

1:01:06 to 1:01:10: Sounds

1:01:11 to 1:01:39: Marie: There is an intervenor complaint and motions for number 1: class certification and injunctive relief that is filed by me in the federal court. And it's stamped "received" September 21st, 2010, at the legal department of Columbia. I just need a copy of the first page front and back and of the last page.

1:01:39 to 1:01:52: Sounds

1:01:51 to 1:02:29: Marie: There is the, Mr. Schnee's "Petition for Writ of Mandamus." It is, uh, dated September 24, 2010. I just need a copy of the certificate of service, of the envelope, and of the back of the certificate of service that is stamped "received" "September 24, 2010" by the legal department.

1:02:29 to 1:02:52: Sounds

1:02:52 to 1:03:29: Marie: There is a file that has in the inside of the front cover SLED and there is a word that seems to read "HOH" and there is a number 896-7365. I do need a copy of that.

1:03:29 to 1:05:25: Sounds

1:05:26 to 1:05:41: Marie: There is a set of three stapled pages dated October 1st, 2010, actually it's, it's three sheets; but it's five pages. I do need a copy of those.

1:05:41 to 1:06:41: Sounds

1:06:41 to 1:06:56: Marie: There two fax-transmittal sheets from the City of Columbia dated October 1st, 2010. They say that two pages including the cover are included; but there is nothing attached to them. I just need these.

1:06:56 to 1:07:02: Sounds

1:07:02 to 1:07:35: Marie: There is a letter dated October 29, 2010, to April Sampson from David Fernandez that says "Dear Ms. Sampson: There are no jury trials scheduled in Columbia Municipal Court on Thursday, November 3rd, 2010, and

1:07:35 to 1:07:58: Sounds

1:07:58 to 1:08:23: Marie: There is a set of three sheets. The first page is a letter dated April 14, 2010, from Mr. Fernandez to me, improperly identifying me. I just need a copy of that.

1:08:23 to 1:08:51: Sounds

1:08:52 to 1:08:59: Marie: There is a fax-transmittal sheet dated August 27, 2010, (?) Turner.

1:09:00 to 1:09:05: Sounds

1:09:05 to 1:09:30: Marie: And another one to Chief Turner and it's dated August 27, 2010 "re City versus Marie Faltas."

1:09:30 to 1:09:53: Sounds

1:09:53 to 1:09:59: Marie: The pages back to

1:10:01 to 1:10:56: Sounds

1:10:56 to 1:11:29: Marie: There is a fax sheet dated December 30, 2006, which is a certificate of service on John Harris and then there is a deposition, a notice of a deposition, signed by (?) of (?) January

1:11:29 to 1:11:39: Sounds

1:11:40 to 1:12:25: Marie: And there is a fax cover sheet from David Fernandez to Clarke Newton. It's date 8/10/2010. Then there is a letter dated November 12, which is the same as the letter, November 12, 2010, which is the same as the letter found on the table. I would like to let me look at the original.

1:12:25 to 1:12:26: April Sampson: I'll try just

1:12:28 to 1:12:33: Sounds

1:12:34 to 1:12:35: Marie: Thank you ma'am. I need to ask Ms. Sampson on the record whether she has advised Judge Cooper on, of this change too.

1:12:40 to 1:12:47: April Sampson: I just got that when I got here.

1:12:47 to 1:12:49: Marie: Well, fine

1:12:50 to 1:12:56: April Sampson: No. I haven't told him anything because I've been in here.

1:12:57 to 1:12:59: Marie: Well, I've put it on the record. But you've been out of here, for a while.

1:12:59 to 1:13:01: April Sampson: It's not; I haven't talked to the chief administrative judge.

1:13:01 to 1:13:02: Marie: Do you intend to?

1:13:02 to 1:13:05: April Sampson: To tell him that your trial's been changed?

1:13:05 to 1:13:05: Marie: Yes.

1:13:06 to 1:13:07: April Sampson: Yes, I'll let him know.

1:13:08 to 1:13:12: Marie: Will you be able to give me his response too?

1:13:13 to 1:13:15: April Sampson: I'll give you a response. Sure.

1:13:15 to 1:13:20: Marie: Thank you. Thank you. Is it okay if I kept the original?

1:13:21 to 1:13:23: April Sampson: I, as long as I have me a copy.

1:13:23 to 1:13:2: Marie: Okay. Okay. Let's swap your original for my copy.

1:13:32 to 1:13:35: April Sampson: I'll

1:13:23 to 1:13:2: Marie: Okay. Okay. Let's swap your original for my copy.

1:13:32 to 1:13:35: April Sampson: I'll

1:13:36 to 1:14:02: Sounds

1:14:02 to 1:14:23: Marie: There is a two-page e-mail from me to David Fernandez. I'd like a copy of that because it does show that they received my e-mail to him saying that I contest their claim that the videos were inoperable.

1:14:23 to 1:14:50: Sounds

1:14:50 to 1:15:11 Marie: There is a, an e-mail to, uh, David Fernandez from Clarke Newton which is forwarding an e-mail from me and it has hand-written material on it. It's two pages. I'd like a copy of that.

1:15:11 to 1:16:00: Sounds

1:16:00 to 1:17:41 Marie: There is a strange e-mail that's one page from Mr. David Fernandez. And it says from Marie Faltas, October 27, 2010, at 12:19 pm someone's hand-writing says David "Hello, I'm sorry because it might get you too versions; but because of the situation I think right now in the United Kingdom. We came down here on vacation. Our ash, credit card and cell phone were stolen. Experience our passport flight ticket" and "I" is lower case. "as soon as I am back home." I need a copy of that. I need

1:17:46 to 1:17:51: April Sampson: If I may, Ms. Faltas, sounds like your e-mail's been hacked.

1:17:51 to 1:17:51: Marie: To me?

1:17:51 to 1:13:35: April Sampson: Not to you.

1:18:01 to 1:18:07 Marie: Yeah, actually, my e-mail was hacked by somebody; but I reported it and changed.'s

1:18:07 to 1:13:35: April Sampson: I'm just letting you know: e-mail a lot of us got this.

1:18:01 to 1:18:07 Marie: Yeah, actually, my e-mail was hacked by somebody; but I reported it and changed.'s

1:18:07 to 1:13:35: April Sampson: I'm just letting you know: e-mail a lot of us got this.

1:18:36 to 1:18:27: Sounds

1:18:28 to 1:18:07 Marie: I was curious as to what they said

1:18:31 to 1:13:35: April Sampson: They were doing it on the theory account, hot mail account and I'm

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1:18:31 to 1:13:35: April Sampson: They were doing it on the theory account, hot mail account and I'm

1:19:28 to 1:20:36: Marie: Okay. There is a file that has on the inside back cover a hand-written note on a yellow sticky; and it says "civil service division" "ask Judge Hanna to ask SLED to investigate use of" something "examine anything with judge's signature." Oh, brother! It seems that they were asking or suggesting that I forged Judge Turner's signature on subpoenas. So, I do need a copy of this. Did you see that?

1:20:31 to 1:20:35: April Sampson: I don't know anything of what happened.

1:20:41 to 1:20:51: Marie: Oh, I just want you to see it. Look. They were asking SLED to investigate me

1:20:51 to 1:20:56: April Sampson: They were doing it on the theory account, hot mail account and I'm, I read into the record what Heather Weiss had told the first mental health examiner about me on 2 to 4 December 2009;

1:42 to 1:43, I receive a call from Laurie Treywick of SC's Judicial Merit Selection Commission concerning my testimony against the judicial candidacies of DeAndrea Gist Benjamin and John Pascal Meadors;

1:43:09 to 1:44:48, Marie: There is a file that says "Charlene Crouch Statement and Report." And there is, apparently someone looked her up "research under secure access, 11/11/2009, 4:46:19 pm." And it has her arrest for simple possession of marijuana and her arrest for drunkenness and her picture. And I do definitely need a copy of that. And I want to put on the record that the date of it was 11/11/2009. That was

never produced to me before; and it's very important that it shows Blanton Also in that file, there is a statement by Charlene Crouch and a sticky, a yellow sticky note that says "care to make report" Obviously, whoever prepared that knew that Charlene Crouch does not care to make report but knew that she has a bad arrest record. Other statements, there is one that's supposedly signed by Rodney Ingram and another that's supposedly signed by Alden Wheeler. I just would like copies of these two statements."

1:44:56 to 1:47:58, Marie:

There is a file called "Dinah Steele Mason Statement and Report." There is a fax dated 10 slash 08 slash 2009 at 15:18. It has page 6-8 to Gwedolynn Bouie from Dinah Steele. I do not have that. I need a copy of it. Another titled from Dinah Steele to Lynn Matthews. I need that. There is a "South Carolina Victim Impact Statement" that is filled by Dinah Steele and claims that Larry Mason is her representative and husband; and her e-mail address is NobleBlond@BellSouth.net. She lists four telephone numbers: 800, 803-600-5953, 803-787-4454; and again 803-600-5953 and 803-331-1000. It is signed apparently before Francis Reynolds on the front and back. It says: "Did you suffer any physical injury?" And the answer is "NO." Then "Have you noticed any change in you life style since this happened? This may include personal habits, close relationships, the amount of tension and nervousness or you ability to work. Please describe." It says "weight loss" comma "mental and emotional strain" and it's signed on 12/21/2009. I do need a copy of that. "Did you receive any mental health counseling as a result of this crime?" The answer is "NO." And it continues: "If not, are you interested in receiving counseling?" It is left blank. I definitely need a copy of this front and back.

1:47:58 to 1:52:10: Sounds

1:52:10 to 1:52:12: Marie: What happened? It stopped.

1:52:12 to 1:52:33: Sounds

1:52:33 to 1:52:37: April: the secretary and she said she didn't know.

1:52:37 to 1:52:52: Marie: Uh. Each. And then I don't know what happened to the recording; but, first I need to get some answer as to whether I can stay after you leave.

1:52:52 to 1:52:57: Officer: You can't. Not this time

1:52:57 to 1:52:58: Marie: What?

1:52:59 to 1:53:03: Officer: You can't. You have to leave. So, if she leaves, you have to leave.

1:53:04 to 1:53:05: Marie: Who said that?

1:53:06 to 1:53:07: Officer: Ms. Hawkins. I just spoke to her.

1:53:08 to 1:53:13: Marie: Okay. Did she have an answer as to, hum, about the copies that I need and all of that?

1:53:14 to 1:53:15: Officer: No, ma'am. She didn't say to me anything to me about that.

1:53:16 to 1:53:18: Marie: Well, I'm going to need, hum ---

1:53:12 to 1:53:26: Officer: I think she's gonna leave.

1:53:27 to 1:53:28: Marie: You think or not?

1:53:33 to 1:53:34: Officer: No.

1:53:37 to 1:53:38: Marie: Well, I'm going to need

1:53:33 to 1:54:44: Sounds

1:54:43 to 1:53:44: Marie: I have a tape,

1:54:44 to 1:54:44: Officer: Okay.

1:54:45 to 1:55:39: Sounds

1:55:39 to 1:55:55: Marie: Testing, testing, testing. It's not recording for some reason.

1:55:56 to 1:56:00: Officer: Dr. Faltas

1:56:01 to 1:56:04: Marie: Testing, testing, testing.

1:56:01 to 1:56:04: Marie: Testing, testing, testing.

1:56:56 to 1:56:44: Officer: Dr. Faltas

1:56: to 1:57: Sounds

1:57:13 to 1:57:14: Marie: And just in case that recording, the first recording did not pick up, I need a copy of the three pages that are in the file called "Charlene Crouch Statement and Report," specially, the one dated, it says "page 1 of 1, research appended by secure access" dated 11/11/2009 at four o'clock pm, forty-six minutes and four seconds; and it does show a picture of Charlene Crouch with her arrest for simple possession of marijuana on 10/18/2007 and also the most recent charges drunkenness on 1/5/2007 and her release date at 1/16/07.

1:58:00 to 1:59:35: Sounds

1:59:36 to 2:00:01: Marie: In a file called "Arrest Warrants," there are two warrants that are signed in the blank by Angela Ladson, Ministerial Recorder, that; and it says that, I'm sorry, I thought that ...

2:00:01 to 2:00:32: Sounds

2:00:33 to 2:02:35: Marie: There is an envelope called "Heather Weiss Solicitor's office." And, in it, there is a page that has my that says "additional info from Faltas the Garners-Ferry Road call, the call-taker was added after the re that info." And it's signed "J. Blair 1/27" it doesn't say. Signed J Blair 1-27-10. I do need that. And in , there is an e-mail from Gary Johnson December 29, 2009, 3:49 pm to "Blair, Jennifer" "cc: Heather Weiss" 911 call December 10, 2009 "Jennifer, I know you are looking for records for calls made by Marie Faltas in connection with the above date. Please have the for those dates preserved. We may wish to append someone to listen to the calls to pick up involving this suspect. I asking Solicitor Weiss to provide any additional date to preserve. We will contact you re copies of the audio files for review." "Gary H. Johnson, Assistant City Attorney, Telephone; (803) 737-4242" I need copy of those. This seems to be another one that has

2:02:35 to 2:02:35: Marie: There is a CD attached to 693; I need a copy of that CD.

2:02:35 to 2:02:54: Marie: There is another CD attached to incident number L ; I need a copy of that.

2:02:54 to 2:03:07: Marie: And there is another CD that was attached but it had come loose from L655; I need a copy of that.

2:03:07 to 2:04:17: Sounds

2:04:17 to 2:04:18: Marie: Is, is the air-conditioning set to cold?

2:04:18 to 2:04:19: Officer: I guess.

2:04:20 to 2:04:21: Marie: Isn't it a bit cold here?

2:04:22 to 2:04:23: Officer: It seems to be.

2:04:23 to 2:04:24: Another Officer: No. It isn't it.

2:04:25 to 2:04:21: Marie: Can you make it?

2:04:28 to 2:04:29: Another Officer: Undecipherable.

2:04:29 to 2:07:02: Sounds

2:07:03 to 2:09:11: Marie: There is something, apparently from the internet dated 10/8/2009. It says "page 1" I need a copy of that. And then there is another one that is 10/7/2009. There is only one; I need a copy of it. Then there is ; I need a copy of those. Then there is "Virginia Board of Medicine Practitioner Information" I need a copy of that. One for education, the other for certification; professional licensure 2009 . And then there is another . Apparently my license to Virginia Board of Medicine. These are all from 2009. I do need all of those.

2:09:12 to 2:09:14: April Sampson: .

2:09:15 to 2:09:27: Marie: No, I know that. Just in a manner of speaking. Now, I'm afraid someone may be using my DEA number, you know, to get a prescription under my name or something,

2:09:29 to 2:09:32: Sounds

2:09:32 to 2:09:49: Marie: "Marie Assa'ad Faltas" and I want the ones that have got my license information.

2:09:49 to 2:11:32: Sounds

2:11:33 to 2:14:32: Marie: originating agency one Power McIntosh and one . I need a copy of that. There is another one by Pentasari. All that. Different submitting agency. Then . There is . This warrant is. The writer CPD evidence room computer lab Pentasari . Both items were looked at. From either unit. Items the CPD and then 12-12-35 304 Byron 10-2-13 I arrived Sergeant Drafts . She asked for a time extension of one hour. During at Byron Road, Ms. Faltas" and it is misspelled "from her apartment to her car; and the

items to another location departure . There is Byron Road. 1-9-2-12 I arrived region officer around the parking lot

2:14:34 to 2:15:03: Sounds

2:15:04 to 2:15:03: Marie:

2:15:18 to 2:17:30: Sounds

2:17:31 to 2:17:53: Marie: file I need copies of these.

2:14:34 to 2:15:03: Sounds

2:15:04 to 2:15:03: Marie:

2:18:34 to 2:18:53: Sounds

2:18:54 to 2:19:03: Marie: I need all the pages in the file "Orin Briggs"

2:1:34 to 2:15:03: Sounds

2:15:04 to 2:15:03: Marie:

2:18:34 to 2:18:53: Sounds

2:04:28 to 2:04:29: Another Officer: Undecipherable.

It is very important to get these two documents and also the disposition of Charlene Crouch's public drunkenness ticket 32051GA, apparently pled on 25 April 2012, and the conditions of her PR bond on 22 April 2012, which must have included no trespass on Byron Road.

That would be something Dinah Steele would have held over Charlene Crouch's head because Charlene continued to go to Charlie White and take money from him, specially that she had an eviction action filed against her for failure to pay the rent. Here it is:

Crouch, Charlene	Defendant	2012CV401061918	06/04/2012	Disposed	07/24/2012	Civil	Rule to Vacate \$40	2012CV401061918	Lykesland Magistrate
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Thanks and God bless./Marie



**CITY OF COLUMBIA
INTEROFFICE MEMORANDUM**

TO: The Honorable Mayor Benjamin and City Council **DATE:** 12/7/2010

CC: Ken Gaines, City Attorney
Erika Salley, City Clerk

FROM: Steve Gantt, City Manger

RE: Richland County Solicitor's Office

During the FY 10/11 Budget process, City Council allocated \$70,000 for the continued support of a Special City Prosecutor with the Richland County Solicitor's Office. Attached is a letter from the Solicitor's office request for this year. The City has supported this position for several years with great success. I am requesting your approval for this allocation for FY 10/11. Funding is included in the General Fund Budget for this request.

If you have any questions, please let me know.

Attachment

The State of South Carolina

W. Barney Giese
Solicitor

SOLICITOR
Fifth Judicial Circuit
Post Office Box 192
1701 Main Street
Columbia, South Carolina 29202

Phone
(803) 576-1800

Fax (803) 576-1718

November 30, 2010

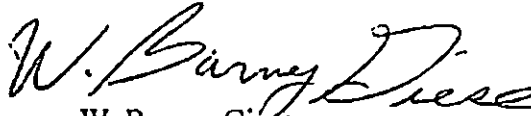
Steve Gantt, City Manager
City of Columbia
Post Office Box 147
Columbia, SC 29217

RE: Special City Prosecutor Funding

Dear Mr. Gantt:

Thank you so much for the continued support of the Special City Prosecutor position in my office for the fiscal year 2010-2011. The \$70,000.00 you have allocated for the position helps us continue to fund a prosecutor to facilitate the positive relationships we have with the City and streamline prosecution of the cases arising there. I look forward to continuing this relationship for years to come. Please feel free to contact me or Heather Weiss, your Special City Prosecutor, if we can be of service to you.

Sincerely,



W. Barney Giese
Solicitor

WBG/tby
Cc: Missy Caughman, City of Columbia

Results**Name Charlene Crouch****Date of Birth 1968 11 02****Maiden Name****Gender Female****SSN****Transaction 004645036****Date of Check February 21, 2012 at 10:56**

This record is based on a search using Last name,
First initial, Gender, and Date of Birth only.
Compare all identifying data given for record subject
with screening subject. Fingerprint comparison is
recommended as the most reliable means to
identify a record subject.

INTERNET RAP SHEET REQUEST

ORI-SCLED0000 SID-SC00561433 FBI-***** PUR-E
ATN-WEB, ACCOUNT

AUTHORIZED USE ONLY. ***** CONTACT CONTRIBUTING
AGENCY FOR SPECIFIC/MORE DATA ABOUT CHARGES AND/OR DISPOSITIONS.
BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

PAGE-01 DATE-02/21/2012 TIME-10:53:44
REQ ORI-SCLED0000 S C LAW ENF DIV
SID-SC00561433 FBI-
NAME-CROUCH, CHARLENE SEX-F RACE-W
HEIGHT-502 WEIGHT-100 EYES-GRN HAIR-BLN SKIN-FAR BORN-SC
FPC-PMPM16POPODIPI17PI16 HENRY-16 M 29 W MOO
I 24 W IOI 16

PHOTOGRAPH AVAILABLE AUTHORIZED USE ONLY
PALM PRINTS AVAILABLE AUTHORIZED USE ONLY
DATE RECORD ENTERED--11/13/1986 DATE OF LAST UPDATE--12/19/2007

ADDITIONAL IDENTIFIERS	BIRTH			
NAME	DATES	MARKS	SOC SEC	MISC NUM
CROUCH, CHARLENE	12021968			
	11021968			

CONTRIBUTOR/SUBJECT	DOA/RCVD CHARGE/DISPOSITION/ETC
---------------------	---------------------------------

CROUCH, CHARLENE 07/30/1986
SC0200100 WINNSBORO PD
CASE-8607320
WARR-B418075

ARREST CHARGE 01-DISORDERLY
CONDUCT
PHOTOGRAPH AVAILABLE
COURT CHARGE 01-DISORDERLY
CONDUCT
COURT DISP-CONVICTED;15D
CONFINEMENT; \$100 FINE;CONFINEMENT OR FINE
COURT DATE-08/11/1986

WARR-B418075

CROUCH, CHARLENE 06/20/1987
SC0200000 FAIRFIELD CNTY SO

ARREST CHARGE 01-DISORDERLY
CONDUCT
PHOTOGRAPH AVAILABLE
COURT CHARGE 01-DISORDERLY
CONDUCT
COURT DISP-NON-CONVICTION;
NOT GUILTY
COURT DATE-07/02/1987

CROUCH, CHARLENE 11/04/1987
SC0200000 FAIRFIELD CNTY SO

ARREST CH

ARGE 01-GRAND LARCEN

Y

CROUCH, CHARLENE 09/24/1988
SC0200000 FAIRFIELD CNTY SO

ARREST CHARGE 01-BURGLARY 2ND
PHOTOGRAPH AVAILABLE

CROUCH, CHARLENE 03/14/1989
SC0200000 FAIRFIELD CNTY SO

ARREST CHARGE 01-CONTRIBUTING
TO MINOR DELINQUENCY
OFFENSE DATE-03/14/1989
PHOTOGRAPH AVAILABLE

CROUCH, CHARLENE 12/19/1990
SC0200100 WINNSBORO PD
CASE-9012401
WARR-09299NJ

ARREST CHARGE 01-LEAVING

DOC-R84 WARR-09299N2

SCENE OF ACCIDENT
COURT CHARGE 01-COURT CHARGE
NOT SUBMITTED
COURT DISP-CONVICTED;LEAVING
SCENE OF ACCIDENT/\$237 OR
30D
COURT DATE-01/03/1991

CROUCH, CHARLENE
SC0200000 FAIRFIELD CNTY SO

05/02/1991

ARREST CHARGE 01-DISORDERLY
CONDUCT
PHOTOGRAPH AVAILABLE

CROUCH, CHARLENE
SC0200100 WINNSBORO PD
ATN-WARR-G885490
CIT-16-25-20-MISDEMEANOR

07/22/2002

ARREST CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
OFFENSE DATE-07/22/2002
PALM PRINTS AVAILABLE

WARR-G885491
CIT-16-25-20-MISDEMEANOR

ARREST CHARGE 02-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
OFFENSE DATE-07/22/2002

CIT-16-25-20-MISDEMEANOR
DOC-R84 WARR-G885490

COURT CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
COURT DISP-NON-CONVICTION;
DISMISSED
COURT DATE-08/08/2002
ATN-CIT-16-25-20-MISDEMEANOR
COURT CHARGE 02-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
COURT DISP-NON-CONVICTION;
DISMISSED
COURT DATE-08/08/2002

DOC-R84 WARR-G885491

CROUCH, CHARLENE
SC0200100 WINNSBORO PD
CASE-NA
ATN-990000030512
WARR-H475516

02/25/2005

CIT-44-53-370 (D) (2) -MISDEMEANOR

ARREST CHARGE 01-POSS OTHER
CONTROLLED SUB IN SCHED I
TO V-1ST
OFFENSE DATE-02/25/2005
PHOTOGRAPH AVAILABLE

WARR-83239BZ

CIT-44-53-370 (D) (3) -MISDEMEANOR

ARREST CHARGE 02-POSS 28G OR
LESS MARIJ OR 10G OR LESS
HASH 1ST
OFFENSE DATE-02/25/2005

CIT-44-53-370 (D) (3) -FELONY

DOC-05GS2000241 WARR-H475516

COURT CHARGE 01-POSS 15 DOSAG
E UNITS MDMA/ECSTASY 1ST
OFFENSE
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-05/23/2005
ATN-990000030512

CROUCH, CHARLENE
SC0120200 GREAT FALLS PD
CASE-GF3085
ATN-9900000319922
WARR-12060112 @
CIT-568-5-381-MISDEMEANOR

01/12/2006

ARREST CHARGE 01-VIOLATION
OF VEHICLE BACKING LIMITAT
IONS
OFFENSE DATE-01/12/2006

WARR-12060112 @
CIT-568-5-381-MISDEMEANOR

ARREST CHARGE 02-VIOLATION
OF VEHICLE BACKING LIMITAT
IONS
OFFENSE DATE-01/12/2006

WARR-12060112 @
CIT-44-53-960-MISDEMEANOR

ARREST CHARGE 03-POSSESSION
OF DRUG PARAPHERNALIA
OFFENSE DATE-01/12/2006

WARR-12060112 @
CIT-44-53-370 (D) (3) -MISDEMEANOR

ARREST CHARGE 04-DRUGS/POSSES
SION OF COCAINE 1ST
OFFENSE DATE-01/12/2006

CROUCH, CHARLENE

01/19/2006

SC0100000 CHARLESTON CNTY SO
CASE-NA
ATN-9900000153479
WARR-H840590
CIT-16-13-30 (A) -MISDEMEANOR

ARREST CHARGE 01-PETTY LARCEN
Y
OFFENSE DATE-12/23/2005
PHOTOGRAPH AVAILABLE

CIT-16-13-30 (A) -MISDEMEANOR
DOC-R84 WARR-H840590

COURT CHARGE 01-PETTY LARCENY
COURT DISP-NON-CONVICTION;
SENTENCE UNKNOWN
COURT DATE-03/02/2006
ATN-9900000153479

CROUCH, CHARLENE
SC0200100 WINNSBORO PD
CASE-07-01-0347
ATN-200000002483
WARR-K171042
CIT-16-25-20 (A) -MISDEMEANOR

01/25/2007

ARREST CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
OFFENSE DATE-01/24/2007
PALM PRINTS AVAILABLE

CIT-16-25-20 (A) -MISDEMEANOR
DOC-R84 WARR-K171042

COURT CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE
COURT DISP-CONVICTED;\$2125
OR 30 DAYS SUSPENDED UPON
COMPLETION OF BATTERER
TREATMENT PROGRAM
COURT DATE-03/22/2007
ATN-200000002483

CROUCH, CHARLENE
SC0200000 FAIRFIELD CNTY SO
CASE-07072952
ATN-200000003021
WARR-K171203
CIT-16-13-30 (B) (1) -FELONY

07/10/2007

ARREST CHARGE 01-GRAND LARCEN
Y, VALUE >\$1,000 BUT <\$5,00
0
OFFENSE DATE-07/10/2007
PALM PRINTS AVAILABLE

CROUCH, CHARLENE 10/17/2007
SC0400000 RICHLAND CNTY SO
CASE-160107
ATN-990000347605
WARR-J559117
CIT-44-53-370 (D) (4) -MISDEMEANOR

ARREST CHARGE 01-POSS 28G OR
LESS MARIJ/10G OR LESS
HASH 1ST
OFFENSE DATE-10/17/2007
PHOTOGRAPH AVAILABLE
PALM PRINTS AVAILABLE

CIT--MISDEMEANOR
DOC-40 WARR-J559117

COURT CHARGE 01-POSS 28G OR
LESS MARIJ/10G OR LESS
HASH 1ST
COURT DISP-NON-CONVICTION;
NOT GUILTY/BENCH TRIAL
COURT DATE-11/05/2007
ATN-990000347605

@ - WARRANT OCCURS WITH MORE THAN ONE SID NUMBER

BASED ON SEARCH OF SCLED CJIS CCH FILE USING SID/SC00561433
THIS CRIMINAL HISTORY RECORD IS FOR SOUTH CAROLINA ARRESTS AND
CONVICTIONS ONLY AND IS BASED ON THE INFORMATION PROVIDED. SINCE
CHANGES MAY OCCUR DAILY A NEW INQUIRY SHOULD BE MADE AND NO SUBSEQUENT
USE OF THIS RECORD IS ALLOWED.

** S C CJIS END OF RECORD **

Credit Card Transaction Number 1329839722ICE827120221105522

Return	Another Check
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BAIL PROCEEDING
FORM I

STATE OF SOUTH CAROLINA

IN THE Richland County General Sessions

COUNTY OF Richland

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

v.

Crouch, Charlene

NAME OF DEFENDANT

Offense Charged: Assault / Assault & Battery 2nd degree-[1902825]

IT IS HEREBY ORDERED

I

That the above named defendant be released from custody on his own recognizance without surety on the condition that he will personally appear before the designated court at the place, date, and time required to answer the charge made against him and do what shall be ordered by the court, and not depart the State without permission of the court and be of good behavior.

II

That the above named defendant be released from custody upon recognizance without surety executed by him.

Appearance Recognizance Without Surety

On the 19th day of June, 2012, personally appeared before the undersigned judge the defendant named above who acknowledged himself indebted to the State of South Carolina, in the sum of 5,000.00 dollars, to be levied on his real and personal property for the use of the State, if the defendant shall fail in performing the conditions of the Order.

III

That the defendant will notify the court promptly if he changes his address from the one contained in this Order and will comply with the following other conditions of release: No Contact With NICHOLAS STATON Directly or Indirectly

IV

That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on July 23, 2012 at 9:00 o'clock, A M, at Richland County General Sessions - 1701 Main Street/P O Box 192/Columbia, SC 29202 / (803) 576-1999 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on _____ at _____ o'clock, _____ M, at _____

If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

SIGNATURE OF JUDGE

DATE

SIGNATURE OF DEFENDANT

337 Byron Rd Apt 2

ADDRESS

Columbia, SC 29209-1550

CITY/STATE/ZIP

249-49-7878

SOCIAL SECURITY NUMBER

(803) 553-2524

TELEPHONE

008494256 (SC)

DRIVER'S LICENSE OR ID NUMBER

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED

Original Copy For The Trial Court - Copy For The Defendant

DISCHARGE

vs.

Charlene Crouch
DEFENDANT(S)

DISCHARGE

By Kirby D Shealy, Judge in and for the County and state aforesaid,

To the Sheriff and Keeper of the Common Jail in the said County:

The Defendant, Charlene Crouch, having been committed to your custody for the charge of:

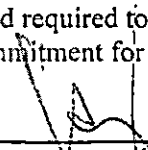
Case number	Charge	Trial Court	Bond Type	Amount
1902825	Assault / Assault & Battery 2nd degree	Richland County General Sessions	Personal Recogniza	\$5,000.00

2012 JUN 19 PM 3:12

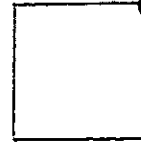
has posted bond of type
Personal Recognizance in the amount of \$5,000.00

and having given bond as required by the Court, you are hereby authorized and required to discharge the said Defendant from your custody. Provided that said Defendant is not held by you upon commitment for some other offense.

GIVEN UNDER MY HAND AND SEAL THIS DAY June 19, 2012



(Judge)
Richland County, SC



DISCHARGE FROM JAIL

SCREENING SHEET

1. Prepare this case for Grand Jury: _____
2. Name of Defendant: _____
3. DP or Warrant Number: _____
4. Charge: _____
5. Officer/Agency: _____

Crouch, Charlene

DOA: 06/19/2012

1902825

3413 - Assault / Assault & Battery 2nd degree

91

Reviewed by: _____

Date: _____

Pending Unindicted

ASOL # _____

DISPOSITION

☐	☐	☐	☐	☐	☐	☒	☐	☐
Dism.	NP	Remanded	Dismissed at Prelim	Failure to Appear	PTI	Restore <i>AWB</i>	Judicial Dismissal	Other

Explain: _____

OR

Date of Failure to Appear: _____

Date Bench Warrant Issued: _____

Solicitor: *April Sampson*
Date: *1/10/2013*

83 / 85



DISCHARGE FROM JAIL

SCREENING SHEET

1. Prepare this case for Grand Jury: _____
2. Name of Defendant: Charlene Crouch
3. DP or Warrant Number: I 902 825
4. Charge: A & B 2nd
5. Officer/Agency: _____
6. Please Subpoena: _____

____ GS 40 _____
OR
Pending Unindicted

Reviewed by: _____
Date: _____

ASOL # 98

DISPOSITION

☐	☐	☐	☐	☐	☐	☒	☐	☐
Dism.	NP	Remanded	Dismissed at Prelim	Failure to Appear	PTI	Restore	Judicial Dismissal	Other

Explain: _____

OR

Date of Failure to Appear: _____
Date Bench Warrant Issued: _____

Solicitor: Lampson Tan
Date: 1-9-13

Alvin...
2/21/13



DISCHARGE FROM JAIL

SCREENING SHEET

1. Prepare this case for Grand Jury: _____
2. Name of Defendant: Charlene Crouch
3. DP or Warrant Number: I902825
4. Charge: A & B nd
5. Officer/Agency: _____
6. Please Subpoena: _____

OR
Pending Unindicted

Reviewed by: _____
Date: _____

ASOL # 91

DISPOSITION

☐	☐	☐	☐	☒	☐	☐	☐	☐
Dism.	NP	Remanded	Dismissed at Prelim	Failure to Appear	PTI	Restore	Judicial Dismissal	Other

Explain: _____

OR

Date of Failure to Appear: 10-25-12
Date Bench Warrant Issued: 11-7-12

Solicitor: Sampson
Date: 11-8-12

[Handwritten initials]

THE STATE OF SOUTH CAROLINA

Race OTHER Sex FEMALE Age 59
DOB 4-4-1953 SSN 241-41-0682

VS.

SID SC01399029

MARIE FALTAS

Charges were disposed of in the court indicated below:

Magistrate Municipal X General Sessions

AKA MARIE ASSAAD-FALTAS

IT APPEARS that the defendant is entitled to have all records relating to this offense expunged and destroyed according to the applicable section of the South Carolina Code of Laws indicated below:

Warrant/GS No. K613792; K613793 Date of Arrest 12-2-2009 Place of Arrest Richland County, S.C.

Arrest Charge HARASSMENT / 1ST DEGREE HARRASSMENT (2 COUNTS)

X § 17-1-40. The charge was dismissed; *not pressed* or the defendant was found not guilty 8-13-12

§ 17-22-150(a). The charge was *not pressed* on _____ by the Solicitor because the defendant successfully completed the Pre-Trial Intervention Program. (PTI Director must attest to eligibility for expungement).

§ 17-22-530(A). The charge was *not pressed* on _____ by the Solicitor because the defendant successfully completed the Alcohol Education Program Program. (AEP Director must attest to eligibility for expungement).

§ 34-11-90(e). The defendant was convicted of a first offense misdemeanor under the Fraudulent Check Law on _____ and no additional criminal conviction as defined by § 34-11-90(e) has taken place in one year from date of conviction.

§ 44-53-450(b). The defendant was charged with first offense simple possession of marijuana or hashish on _____ received a conditional discharge and has successfully complied with the terms as set forth by the court.

§ 22-5-910. The defendant was convicted of a first offense for a crime carrying a penalty of not more than 30 days on _____ that offense did not involve the exceptions enumerated in § 22-5-910, and no additional criminal conviction as defined by § 22-5-910 has taken place within three years from date of conviction or five years from the date of conviction for criminal domestic violence. (Summary Court Judge must attest to eligibility).

§ 22-5-920. The defendant was convicted of a first offense as a youthful offender on _____, that offense did not involve the exceptions enumerated in § 22-5-920, and no additional criminal conviction as defined by § 22-5-920 has taken place during a five-year period following the first offense conviction as a youthful offender.

§ 56-5-750(F). The defendant was convicted of a misdemeanor first offense failure to stop motor vehicle on _____ and no additional criminal conviction has taken place for three years after completion of the sentence.

SLED verifies the offense listed above is eligible for expungement: ☐ Yes ☐ No SLED _____ Date _____

IT IS ORDERED that all records relating to such arrest and subsequent discharge pursuant to the above-referenced section be dismissed, expunged and immediately destroyed and that no evidence of such records pertaining to such charge shall be retained by any municipal, county or state agency except nonpublic information retained on each person accepted for Pre-Trial Intervention pursuant to § 17-22-130, nonpublic information retained by SC Law Enforcement Division (SLED) pursuant to § 34-11-90(e), nonpublic information retained by the Department of Narcotic and Dangerous Drugs Under SLED pursuant to § 44-53-450, nonpublic information retained by SLED pursuant to § 22-5-910 and § 22-5-920, and nonpublic information retained by SLED and Department of Public Safety pursuant to § 56-5-750 (F).

Solicitor: X Consents

Declines to Consent

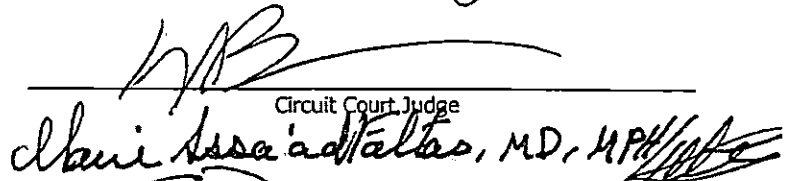
Determined ineligible for expungement


Circuit Solicitor

Signed this

23 day of August 2012

I attest that the defendant is eligible for expungement pursuant to S.C. Code §17-22-150(a) (successful completion of PTI), §17-22-530(A) (successful completion of AEP), § 22-5-910 (summary court conviction) or § 44-53-450(b) (conditional discharge).

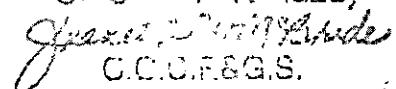

Circuit Court Judge

Director PTI / Director AEP/Summary Court Judge (circle one)

Defendant / Attorney for Defendant (Circle One)

Expunged by SLED by: _____ Date: _____ (For SLED internal use only)

CERTIFIED TRUE COPY
OF ORIGINAL FILED


C.C.C.F.&G.S.

RICHLAND COUNTY
SOUTH CAROLINA