

THE STATE OF SOUTH CAROLINA

No. 2022-000339

In The Court of Appeals (as Transferred from the Supreme Court of South Carolina)
APPEAL from RICHLAND COUNTY Court of COMMON PLEAS

D. Craig Brown, Circuit Court Judge, Case No. 2019-CP-40-01374,

Which is an Appeal from Richland County (Dentsville) Magistrate Phillip F. Newsom

As transferred to Richland Count Magistrates from the City of Columbia' Municipal Court (CMC) Summary Court No. L066971

City of Columbia, SC,

Respondent,

v.

Marie Assa'ad-Faltas, MD, MPH,

Appellant.

Appellant's Sincere: (1) MOTIONS to File (a) Volume II of her Abbreviated Record on Appeal ("Ab-RoA") three business days out of time and (b) Amended Table of Contents of Ab-RoA; (2) Explanation of Need and Use for Extracted Transcripts; AND (3) Offer of an Idea to Facilitate this Court's and the Public's Search of Appellant's Ab-RoA and Final Briefs in this Case.

Appellant Marie Assa'ad-Faltas, MD, MPH ("Dr. Assa'ad-Faltas" or "Dr. Faltas") *pro se*, having complied with the letter of SCACR and of this Court's non-extensible deadline for the unbound record on appeal, certifies that: (1) she understands the Court's one-bound-copy request (a) to refer to the time for filing all final briefs, not the time to serve the unbound copy (of which she did file a copy with the Court in an abundance of caution) and (b) to NOT require her to serve additional bound copies on Respondent; (2) she did all possible to her to timely file a complete and accurate Ab-RoA in this case; (3) when she was Respondent in SC Appellate Cases 2018-001290 and 2019-000708 (in the latter, she prevailed *pro se* below and later with forced representation before this Court) she alerted there-Petitioner South Carolina's Attorney General ("SCAG") to grave errors and omissions in his appendix for certiorari and fully cooperated with SCAG's agents in getting accurate, complete, and redacted appendices filed in both cases; (4) she consulted by same e-mail sent to Ms. Baker and to her supervisor, Ms. Knox, and received notification that Dr. Faltas' said emails were separately read by Ms. Baker and Ms. Knox but did not receive additional responses, which Dr. Faltas interprets as no objection by Respondent; (5) Dr. Faltas is so physically weak she needed, and gratefully received, assistance in even physically carrying two sets of her unbound Ab-RoA from her car to this Court's Clerk's office; (6) in Dr. Faltas' experience, a booklet-"perfect-binding" form is superior in not concealing any text and lower risk of pages torn (as is coil binding) or falling off (as in hot glue) but is limited by the local printing machines' ability to fold and centrally-staple a large number of 11x17 sheets. So, division into seven volumes and prefixing the Ab-RoA page numbers with the volume number could be a win-win for the Court, the parties and the public: no rifling through hundreds of pages to reach a desired one but going to the indicated volume and there reaching through only tens of pages. That also complies in letter and spirit with consecutive numbering; and (7) all Dr. Faltas does and did before this Court and others is faithful to judges' stated duties to advance the law (substantive and procedural) and advocates' moral duties to contribute.

WHEREFORE, as omission of Ab-RoA Volume II and of one transcript from what was timely filed and served on Wednesday, 11 October 2023, was inadvertent and excusable, Dr. Faltas deserves leave to file and serve Volume II and the corrected table of contents of her Ab-RoA on Monday, 16 October 2023, three business days out of time, specially that Respondent was consulted but did not communicate objections.

As to her practice of extracting transcripts, Dr. Faltas shows that ALL relevant transcripts prepared by Columbia's Municipal Court ("CMC") were made from audio by CMC-employee Nancy Ahrens, who did NOT personally attend any of the hearings she later transcribed from audio; and ALL said transcripts are in the eye-tiring all-upper-case format. As a courtesy to the reviewing court, to her opponents, and to the public, Dr. Faltas laboriously and conscientiously gets the paper transcripts delivered to her scanned and OCR-ed then extracts the text and converts, in a more eye-easing font, into sentence casing and reinserts the page and line number in a format that does NOT break the flow of the speaker. ALL said transcripts **except the 17 November 2009 and 3 March 2010 ones** (and those have been included in Ab-RoA in both the Nancy-Ahrens format and Dr. Faltas' extracted-converted format) are on file with the circuit court in the Nancy-Ahrens format in the case below and in related cases below. ALL three hearings in the harassment case pretended by Dr. Faltas' false accused there and here, Dinah Gail Steele of which extracted transcripts are included in Ab-RoA were attended by at least one of then-City of Columbia agents Amenda Blanton and "special solicitor" Heather Weiss and Steele herself. Specifically, the 17 December 2009 and 7 January 2010

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22. Extracted uncorrected Transcript of City vs Faltas	2022-01-28	6 pp	Vol II - 8

Volume III: Evidentiary Documents and Documents Proving Issue Preservation Below *permitted* by Rule 210(c), SCACR in *ascending* Chronological Order for ease of understanding

23. Charlene Crouch's redacted 10-year driving record	2009-11-11	3 pp	Vol III - 1
24. Redacted Dr. Assa'ad-Faltas' CMC disposition letters	1999-2010	10 pp	Vol III - 4
25. Then-CMC Judge Dennis GRANTS Rule 29(b) in different case	2005-07-23	6 pp	Vol III - 14
26. RC Public Index (PI) of Dinah Steele evicting Renard Walker	2006-11-17 <i>et seq</i>	1 p	Vol III - 20
27. Audio transcript of Dr. Assa'ad-Faltas' <i>pro se</i> oral argument	2007-02-06	9 pp	Vol III - 21
28. SC CoA's 2007-UP-193 opinion in Dr. Assa'ad-Faltas' favor	2007-04-26	4 pp	Vol III - 30
29. SC Advance Sheets No 2007-27, City's rehearing DENIED	2007-07-02	8 pp	Vol III - 34
30. Charlene Crouch's Larceny Warrant in Winnsboro, SC	2007-07-08	3 pp	Vol III - 42
31. Charlene Crouch's grand larceny conviction documents	2007-08-07	4 pp	Vol III - 45
32. Charlene Crouch's 2007-GS-20-350 Crouch Guilty Plea	2007-08-15	11 pp	Vol III - 48
33. Crouch's 2007-GS-20-350 Plea extracted Tr highlighted	2007-08-15	3 pp	Vol III - 59
34. City of Columbia's Cert Petition by SC S Ct DENIED	2007-10-18	2 pp	Vol III - 62
35. Charlene Crouch's Lykesland Magistrate documents Part I	2007-10-23 <i>et seq</i>	19 pp	Vol III - 64
36. Crouch's Lykesland Magistrate documents (last 12 pp of Part I)	2008-05-06 <i>et seq</i>	13 pp	Vol III - 83
37. City of Columbia resumes dual payments to Heather Savitz Weiss	2009-01-05	3 pp	Vol III - 96

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

38. Charlie White's letter & Delaney's response to discovery in civil	2009-08-20	2 pp	Vol IV - 1
39. City's Police Department's incident report simple assault	2009-09-11	2 pp	Vol IV - 3
40. Dr. Assa'ad-Faltas' <i>pro se</i> motion to dismiss 1st trespass	2009-11-04	1 p	Vol IV - 5
41. Blanton interviews Charlene Crouch to testify for simple assault	2009-11-09	2 pp	Vol IV - 6
42. Blanton's then-undisclosed purported case summary	2009-11-17	7 pp	Vol IV - 8

43. CMC-made transcript of hearing before Marion Oneida Hanna	2009-11-17	14 pp	Vol IV - 15
44. Same transcript extracted, formatted and highlighted	2009-11-17	4 pp	Vol IV - 29
45. Dr. Assa'ad-Faltas' <i>pro se</i> Amend Comp 2009-CP-40-02219	2009-11-20	12 pp	Vol IV - 33
46. City of Columbia renews payments to RC Solicitor's Office	2009-11-24-30	2 pp	Vol IV - 45
47. Warrant Affidavit signed against Dr. Assa'ad-Faltas alleging	2009-12-01	1 p	Vol IV - 47
48. Bond setting audio Tr for Dr. Assa'ad-Faltas at ASGDC	2009-12-02	12 pp	Vol IV - 48
49. Bond modification Tr for Dr. Assa'ad-Faltas at RC Gen Sessions	2009-12-17	21 pp	Vol IV - 60
50. Judge Lee's Order for Preliminary Injunction in 2009-CP-40-	2009-12-22	7 pp	Vol IV - 81
51. Judge Lee's Order on Reconsideration in 2009-CP-40-02219	2010-01-04	2 pp	Vol IV - 88
52. Tr. Hearing on further bond modification by then-Judge James	2010-01-07	9 pp	Vol IV - 90

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

53. CMC letter scheduling hearing on motion to dismiss	2010-01-12	4 pp	Vol V - 1
54. Hearing before Judge Clifton Newman extracted and highlighted	2010-02-11	8 pp	Vol V - 5
55. Same hearing on pretrial discovery before Judge Clifton Newman	2010-02-11	9 pp	Vol V - 13
56. Confirmation of hearing scheduled on motions to dismiss	2010-02-23	4 pp	Vol V - 22
57. David Fernandez' fax to Clark Newton further confirming	2010-03-01	2 pp	Vol V - 26
58. Extracted CMC Transcript with highlights re discovery	2010-03-03	5 pp	Vol V - 28
59. Motion to convert GS bond into PR bond after GS mistrial	2010-03-03	2 pp	Vol V - 33
60. CMC-made-from-audio transcript of hearing on discovery, <i>etc.</i>	2010-03-03	13 pp	Vol V - 35
61. Fernandez' denial that 2010-03-03 occurred, highlighted	2010-04-15	1 p	Vol V - 48
62. Plain copy of Fernandez' letter denying hearing occurred	2010-04-15	1 p	Vol V - 49
63. Daphne Helms' estimate of 2010-02-22-26 trial transcript	2010-04-26	2 pp	Vol V - 50
64. CMC's invoices for CMC 2009-11-17 & 2010-03-03 transcripts	2010-05-28	1 p	Vol V - 52
65. e-mail chain Daphne Helms re GS transcripts	2010-06-26	7 pp	Vol V - 53
66. Reviewing Two Banker's Boxes (note added on p 12 in 2012)	2010-11-12	12 pp	Vol V - 60
67. City of Columbia pays \$70K for Heather Savitz Weiss	2010-12-07	2 pp	Vol V - 72
68. Redacted SLED Report on Charlene Crouch	2012-02-21	6 pp	Vol V - 74
69. Charlene Crouch's bond and BWs for failure to appear	2012-06-10	5 pp	Vol V - 80
70. PG Expungement of K613792 & K613793 certified true copy	2012-08-24	1 p	Vol V - 85

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

71. Book 245 P 794 Bench warrants re Crouch's non-appearance	2012-10-25 <i>et seq</i>	4 pp	Vol VI - 1
72. Public Index Search Charlene Crouch's battery conviction	2012-2013	1 p	Vol VI - 5
73. Lupton's specific Rule 5/Brady requests to Fernandez	2013-01-24	2 pp	Vol VI - 6
74. Lupton's Service of CD as Defense's reciprocal discovery	2013-02-21	1 p	Vol VI - 8
75. Extracted, Converted & Highlighted Tr. of simple assault trial	2013-04-25	45 pp	Vol VI - 9
76. Charlene Crouch's GS Guilty Plea & Sentencing Transcript	2013-07-11	14 pp	Vol VI - 54
77. Complete transcript of appeal arguments before Judge Lee	2013-12-13	25 pp	Vol VI - 68
78. CMC's letter belatedly disclosing Crouch's GUILTY disposition	2014-01-21	3 pp	Vol VI - 93
79. Dr. Assa'ad-Faltas' Emergency Motion to SC's Supreme Court	2014-02-06	6 pp	Vol VI - 96

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

80. Fernandez' RTSC motion against Dr. Assa'ad-Faltas' Rule 29(b)	2014-02-19	4 pp	Vol VII - 1
81. SC S Ct Order to SCCOID 2015-000941 to represent Dr. Faltas	2015-06-17	1 p	Vol VII - 5
82. Extracted, formatted Tr, before Judge Strickland in circuit	2015-09-03	5 pp	Vol VII - 6
83. Made-from-audio DMN transcript re recusal and transfer	2018-04-25	6 pp	Vol VII - 11
84. CMC's renewed refusal to produce documents for Faltas	2018-05-01	1 p	Vol VII - 17
85. CMC's made-from audio transcript of hearing before DMN	2019-02-04	45 pp	Vol VII - 18
86. Dinah Steele's RC cases includes v Renard Walker	2023-03-22 visited	1 p	Vol VII - 63
87. Steele evicts 300 Byron Apt 1 tenant	2023-05-05 visited	1 p	Vol VII - 64

bond-matters hearings before then-SC-Circuit-Judge James and the 11 February 2010 pre-trial discovery hearing before assigned SC Circuit Judge Clifton Newman were prepared by now-retired SC-Judicial Branch Court Reporters Daphne Helms and Melissa Singletary, whose practice was, or should have been, to offer a copy to the opposing party once a party orders an original. It is therefore **reasonably presumed** that Respondent herein has the court-reporter-prepared version of all three transcripts and can, if Respondent doubts the accuracy of Dr. Faltas' extraction and conversion, compare the two versions.

The remaining transcripts of Charlene Crouch's guilty pleas of grand larceny in August 2007 (Fairfield County) and sexual battery on a vulnerable adult (Richland County, committed December 2011, pled July 2013) were NOT attended by *direct* agents of Respondent and are in Ab-RoA in the court reporters' version.

Having (1) explained her stylistic choices in her Ab-RoA and (2) complied with this Court's imposition of a burdensome filing format on her, Dr. Faltas *offers* an idea to facilitate this Court's consideration of her final briefs and Ab-RoA: allow her *one* email with the digital version of the Ab-RoA and final briefs *in addition to, not as a substitution for,* the paper submission. Dr. Faltas **reiterates that what was denied by this Court was leave to file digitally instead of physical paper.** This is NOT a re-seeking of what was denied but *a new idea* in Dr. Faltas' tenacious faith to her *moral* duty to advance the law *substantively and procedurally.*

Wherefore, all above requests, clarifications, and ideas should be accepted as hereby sincerely submitted on 16 October 2023.

s/Marie Assaad-Faltas, MD, MPH, Defendant/Appellant *pro se*
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e-mail: Marie_Faltas@hotmail.com and MarieAssaadFaltas@GMail.com

Certificate of Service Satisfying the Substance of Form 7 and of all Relevant Rules, SCACR

On 16 October 2023, I served Ms. Jocelyn Y. Baker, sole Counsel for sole Respondent in this case, with a true copy of this document, **of Ab-RoA Volume II and of the amended table of Ab-RoA**, by personally going to the City of Columbia's Legal Department's office location on Washington and Main Streets, Columbia, SC 29201, and there and then hand-delivering a true copy of each of three said documents to a person long known to me to be approved and entrusted to deliver them to Ms. Baker; **all in addition to courtesy copies by email to Jocelyn.Baker@columbiasc.gov and to teresa.knox@columbiasc.gov and to relevant others,** and all God so willing.

s/Marie Assaad-Faltas, MD, MPH, Defendant/Appellant, here server *pro se*
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e-mail: Marie_Faltas@hotmail.com and MarieAssaadFaltas@GMail.com

RECEIVED

OCT 16 2023

SC Court of Appeals