

STATE OF SOUTH CAROLINA ("SC")
COUNTY OF RICHLAND

Magistrate Court case 2025CV4010601370
No. 2026-CP-40-01934, on appeal from Magistrate Court
Appealed to SC's Court of Appeals as Case 2026-001573.

Green Alpha Property Management
v. Marie Assa'ad-Faltas, MD, MPH

Defendant's EMERGENCY MEMORANDUM on JURISDICTION;
Notice of Extreme Risks to Defendant-Appellant's Life; and
DEMAND for the Magistrate to recall his erroneously-printed-and-served 15 July 2026 "Writ."

The cornerstone of our judicial system is jurisdiction. See Judge Gravely's 27 November 2018 ORDER granting summary judgment for Dr. Assa'ad-Faltas in **2017CP4006831** partly due to the summary court judge ("SumCJ") who had held Dr. Assa'ad-Faltas in contempt having had no jurisdiction to enter the bond conditions that SumCJ entered and later convicted Dr. Assa'ad-Faltas of violating.

Appeal to a higher court divests the lower court of jurisdiction. A lower court does **not automatically regain jurisdiction** upon the entry of affirmance or dismissal by the higher court to which the case was appealed. According to SC's Clerk of Court Procedural Manual, upon appeal from summary court to circuit court and therefrom to SC's Court of Appeals and/or SC's Supreme Court, **the circuit court must await the remittitur from the higher court and, upon receipt of which, further remit the case to the summary court.** See SC Circuit Judge Jocelyn Newman's 4 January 2018 ORDER in 2013-CP-40-03522, p 2, fn 1. A writ of ejectment, which Dr. Assa'ad-Faltas timely appealed to Circuit Court, was, on or after 17 March 2026, issued by Magistrate Dash sitting by designation in Richland County Magistrate Court. A 16 April 2026 bond to stay eviction caused recall of the writ. Dr. Assa'ad-Faltas timely complied with the bond; and all her rents are timely paid to the end of July or August 2026. **The Magistrate has no jurisdiction unless and until the case is remitted to him.** A Form-4 ORDER was issued by Circuit Court on 13 July 2026 from which Dr. Assa'ad-Faltas timely sought rehearing and simultaneously appealed to SC's Court of Appeal. A copy of her **filed** notice of appeal and motions was timely e-mailed to magistrate court and is attached hereto again. **SC's Court of Appeals has NOT remitted the case to Circuit Court. Circuit Court has NOT remitted the case to magistrate and CANNOT do so until and unless Circuit Court itself receives the remittitur from the higher courts.** On 15 July 2026, Magistrate Dash, **acting without jurisdiction**, issued a premature set-out notice to Dr. Assa'ad-Faltas, which, when served on her on Monday, 22 July 2026, greatly harmed her already-precarious health. A set-out in this extreme heat may realistically cause Dr. Assa'ad-Faltas' death. The set-out notice must be recalled to give Dr. Assa'ad-Faltas the necessary peace of mind to allow her to pursue urgent diagnosis and treatment of the severe events she suffered recently and for which she was admitted to an emergency facility on 12 July 2026.

Neither the Circuit Court nor SC's Court of Appeals has yet ruled on Dr. Assa'ad-Faltas' emergency motions to halt the planned set-out. **But the higher court's inaction does NOT confer on the magistrate jurisdiction he does NOT presently have.** Only a proper remittitur does. **Courts must avoid irreparable injury to parties;** death is irreparable injury to Dr. Assa'ad-Faltas.

Plaintiff-Landlord collects **the full rent** set as a bond by the magistrate throughout Dr. Assa'ad-Faltas' occupancy and will suffer no injury *at all* until this case is duly and fairly heard at all levels open to all similarly-situated tenants. Public interest favors stay of the set-out to deter rent-gouging by landlords.

WHEREFORE, the planned set-out notice must be recalled as void, and the current stay bond must continue in effect unless and until duly modified by a court of appropriate jurisdiction.

Submitted and served on 28 or 29 July 2026 by hand-delivery to magistrate court, by mail to Plaintiff/Landlord's counsel, and by email to RCSD Chief McDuffie, all God so willing.



s/Marie-Thérèse Assa'ad-Faltas, MD, MPH, Defendant/Appellant/Movant pro se

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ASSADD FALTAS, MARIE

Female

(73 Years)

Vent. rate
PR interval
QRS duration
QT/QTc-Baz
P-R-T axes

54 BPM
* ms
78 ms
436/413 ms
* 3 72

Patient ID

Atrial fibrillation with slow
ventricular response
Low voltage QRS
Septal infarct , age undetermined
Abnormal ECG

07/12/2026 12:59:18 PM

RECEIVED

JUL 31 2026

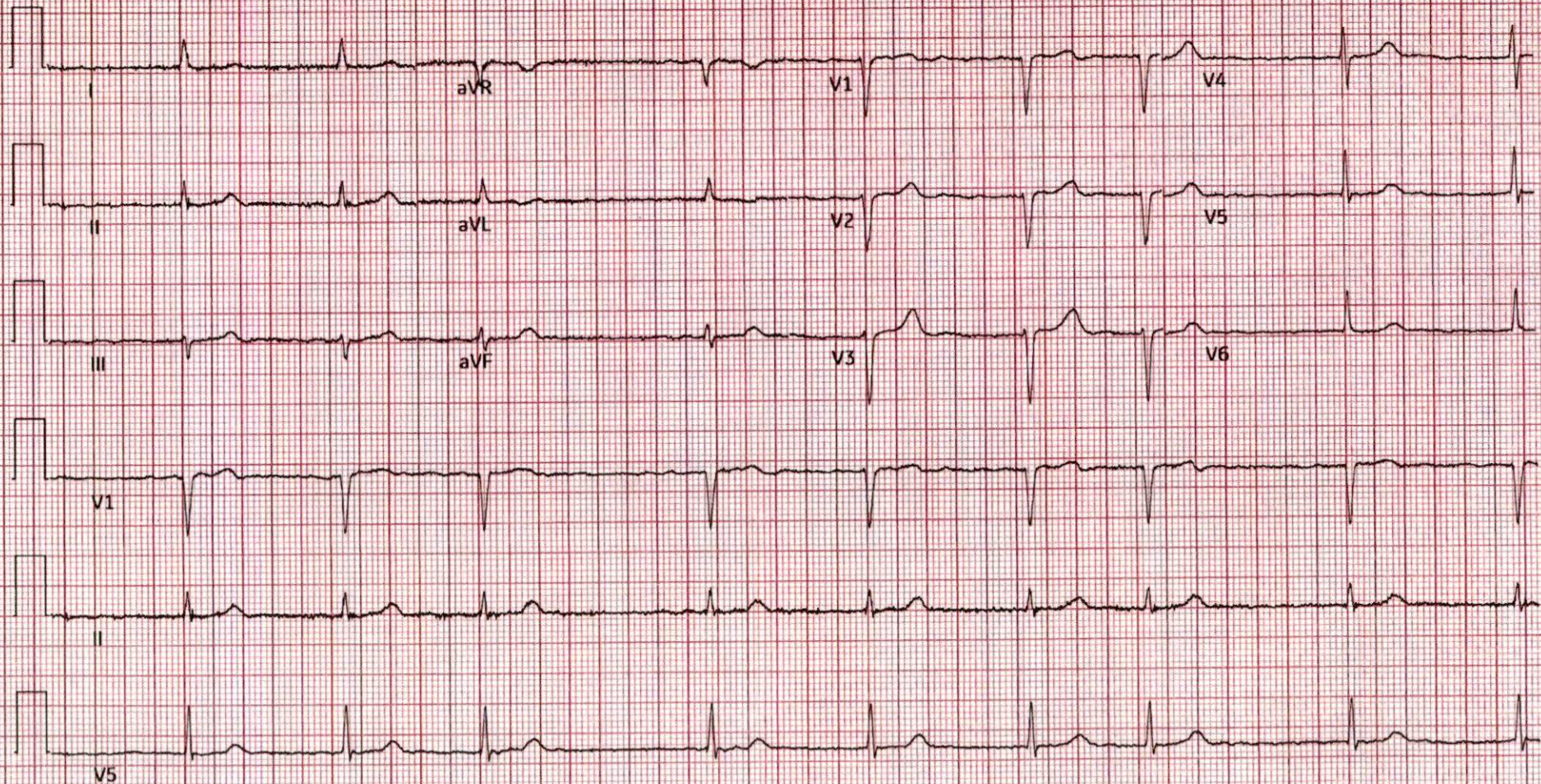
SC Court of Appeals

Technician ID: MLF

Visit

Referred By

Unconfirmed



25mm/s 10.0mm/mV 0.56-150 Hz ZPD AC Off

MAC™ VU360 1.03 SP03

12SL v24 4 by 2.5s + 3 rhythm lds

Page 1 of 1

Vent. rate 82 bpm
PR interval * ms
QRS duration 78 ms
QT/QTc 390/455 ms
P-R-T axes * 54 87

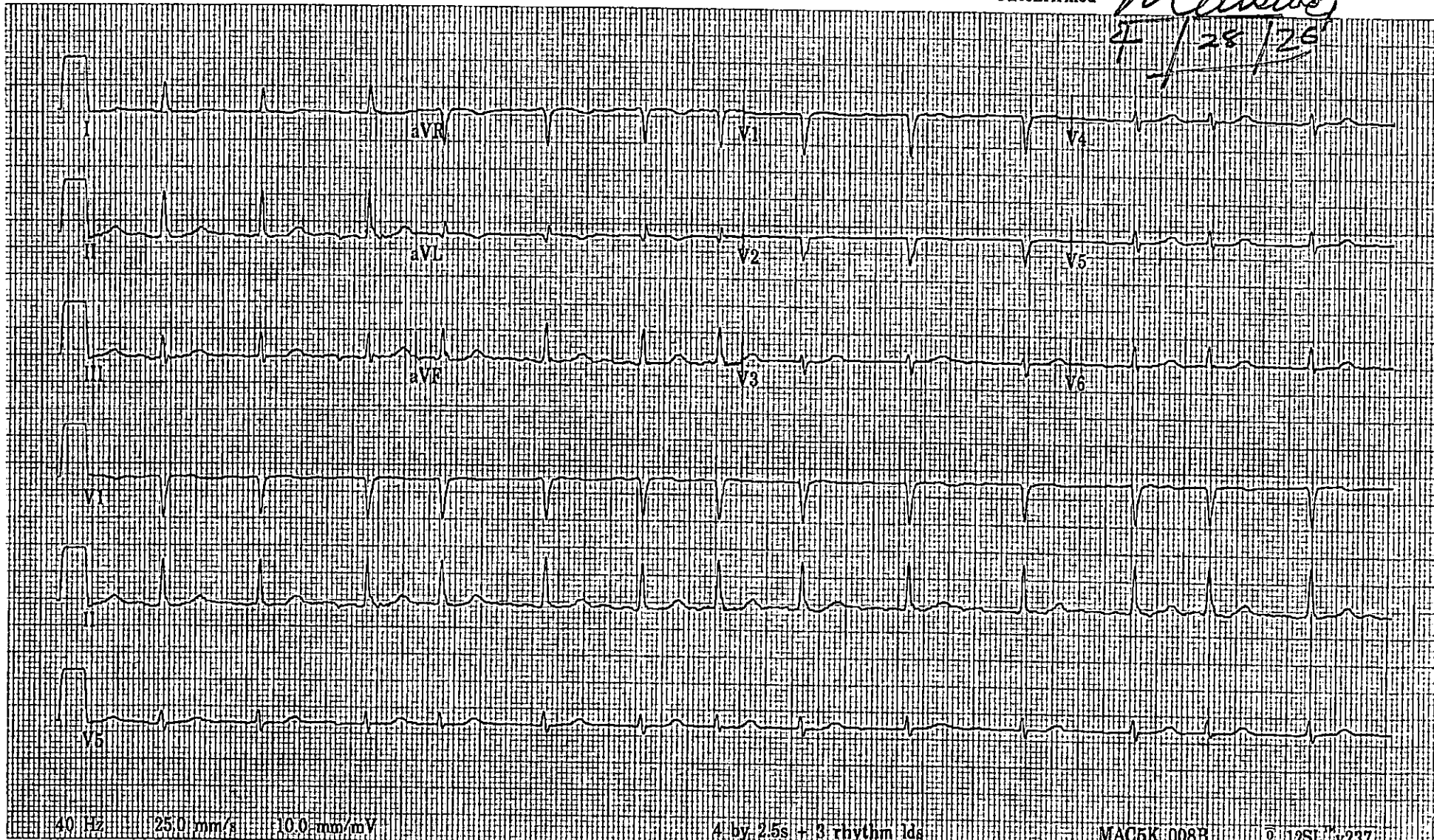
Atrial fibrillation
Low voltage QRS
Septal infarct, age undetermined
Abnormal ECG

Agree

Technician:
Test ind:

Unconfirmed

Mausung
4/28/26



40 Hz 25.0 mm/s 10.0 mm/mV

4 by 2.5s + 3 rhythm lds

MAC5K 008B

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