

Before the Supreme Court of South Carolina

In the Matter of Marie Assa'ad-Faltas, Respondent. Appellate Case No. 2013-000862

Timely Motion for the Full Court Reconsider Its Chief Justice's 21 February 2014 Order And to Admonish Both This Court's Clerk and the Clerk of the Court of Appeals to Stop Writing Falsehoods to Respondent and to Stop Receiving ex parte Communications about her.

South Carolina Appellate Court Rule 240(J) provides *in toto*:

(j) Authority of an Individual Judge or Justice. Except where these rules require the concurrence of two or more members of an appellate court, an individual judge or justice may grant or deny any motion or petition on behalf of the court. Any review of an order issued by an individual judge or justice shall be by petition for rehearing.

Marie Assa'ad-Faltas, MD, MPH, *pro se*, as permitted in criminal appeals (and this is a criminal matter this Court initiated *sua sponte*) asks the full Court, minus its Chief Justice (who is recused per *Caperton v. Massey* because *inter alia* Dr. Assa'ad-Faltas actively opposed the re-election of Chief Justice Toal, who is notorious for bestowing judicial favors on her friends and retribution on her opponents and critics) but including the Honorable Justice Beatty, who heard Dr. Assa'ad-Faltas' *pro se* oral arguments on 6 February 2007 and joined the appellate panel in ruling in her favor, to reconsider the Chief Justice' 21 February 2014 ORDER denying Dr. Assa'ad-Faltas' several motions for appointment of counsel without factual or legal for denial. This Court's Chief Justice and Clerk have singled Dr. Assa'ad-Faltas out and imposed on her conditions forbidden by SC Code of Laws **SECTION 14-1-100. Rights in court shall not be affected by race or color.**

Whenever authority has heretofore been conferred by law upon any free white person or persons to institute any suit or proceedings or to prefer any information or complaint in any matter, civil, penal or criminal, the same rights shall be enjoyed by and the same remedies shall be applicable to all persons whatsoever, regardless of race or color, subject to the same conditions and none other.

Also, this Court's Clerk's 21 February 2014 letter admits receiving from "Richland County's Clerk's Office" purported *ex parte* information about Dr. Assa'ad-Faltas to the effect that she continues to send e-mails to that Clerk's staff. **That is false.** Dr. Assa'ad-Faltas did NOT, since April 2013, e-mail anything to "Richland County's Clerk's Office" or to any person employed therein. Dr. Assa'ad-Faltas asks this Court to investigate whether "Richland County's Clerk's Office" lied to Mr. Shearouse or Mr. Shearouse lied to Dr. Assa'ad-Faltas about receiving reports of recent e-mails. Dr. Assa'ad-Faltas also demands that the alleged e-mails be produced for her inspection. Further, the Clerk of South Carolina's Court of Appeals recently claimed that to Dr. Assa'ad-Faltas had not provided proof of service of her notice of appeal in case 2014-00006. **That is also false.** Dr. Assa'ad-Faltas always provides proof of service although never on a separate sheet unless court rules so require. SC Rules of Civil and Criminal Procedure and Appellate Court Rules do NOT require the proof of service of notices of appeals, motions and other pleadings (except briefs) to be on a separate sheet.

WHEREFORE, Dr. Assa'ad-Faltas' motion for appointment of counsel should be granted; SC's Chief Justice Toal and Mr. Shearouse should be permanently recused from all Dr. Assa'ad-Faltas' cases; and this Court should focus on combatting perjury and falsifications in SC courts instead of combatting Dr. Assa'ad-Faltas.

Submitted on 10 March 2014 **and served** on 10 March 2014 by hand-delivery to the Clerk of SC's Court of Appeals, to SC's Attorney General, and to CACA Fernandez and on 10 or 11 March 2014 by hand-delivery to Richland County Clerk of Court, and through her on Judges Lee, Manning and Hood, all God so willing.

Marie Assa'ad-Faltas, MD, MPH, "~~Respondent~~" *pro se* for the purposes of this Motion
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SC Court of Appeals