

BEFORE THE SUPREME COURT OF SOUTH CAROLINA  
Appellate Case No. 2015-000941

APPEAL from RICHLAND COUNTY Court of Common Pleas  
Alison Renée Lee, Circuit Court Judge  
Circuit Court Case No. 2013-CP-40-03522

City of Columbia, South Carolina,

v.  
Marie-Thérèse Assa'ad-Faltas, MD, MPH,

Respondent,

Appellant.

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S.C. SUPREME COURT

Second Supplement to Appellant's Motion and Brief to Relieve Attorney Caudy as Counsel for Cause  
AND for such appropriate relief to Marie-Thérèse Assa'ad-Faltas, MD, MPH

*Then the chief butler spoke to Pharaoh, saying, "I remember my faults this day.["*

*And Pharaoh said to his servants, "Can we find such a one, a man in whom is the spirit of God?"*

*Then Pharaoh spoke to Joseph, saying, "Your father and your brothers have come to you. [...] And if you know any competent men among them, then make them chief herdsmen over my livestock."*

*Genesis 41:9 and 38 and 47:5-6*

*You shall not cheat your neighbor, nor rob him. The wages of him who is hired shall not remain with you all night until morning. You shall not curse the deaf, nor put a stumbling block before the blind. [...] You shall do no injustice in judgment. You shall not be partial to the poor, nor honor the person of the mighty. In righteousness you shall judge your neighbor. [...] You shall surely rebuke your neighbor, and not bear sin because of him.*

*Leviticus 19:14-17*

*"Depart from Me, you cursed, [...] 'for I was hungry and you gave Me no food; I was thirsty and you gave Me no drink; 'I was a stranger and you did not take Me in, naked and you did not clothe Me, sick, and in prison and you did not visit Me.' Then they will also answer Him, saying, 'Lord, when did we see You hungry or thirsty or a stranger or naked or sick, or in prison, and did not minister to you?' Then He will answer them, saying, 'Verily, I say to you, inasmuch as you did not do it to one of the least of these, you did not do it Me.'"*

*Matthew 25:41-45*

Ancient Egypt, like the Egypt of Dr. Assa'ad-Faltas' formative years, was, not only was a haven for needy strangers, but also a detector and promoter of the talented among them. The Old Testament Joseph was, not a magician, but an observer of Nature in fauna, flora, and people. It could have been a Mediterranean *al nineo*-like phenomenon which affected both Egypt and Cana'an. But because Jacobs' ten other sons had sold "the dreamer" out, Joseph was not in Cana'an to counsel his family to store from feast for famine. "*My people Egypt*" is enjoined with Assyria and Israel to be "*a blessing in the midst of the land.*" *Isaiah 19:19-25*. So, the innocent Copt in South Carolina, like the innocent Hebrew in Egypt, blesses the land of her affliction with candid interpretation of her observations: SC is starved for moral bread but need not immediately send its men to Egypt to purchase bread. Egypt sent her daughter to SC to give it free.

Egypt's only civil (over six thousand years ago) was, not to divide, but to unite Sa'eed and Delta in the one natural country Egypt remained ever since. Egypt did not descend into the civil wars now burning Libya to its west, Syria to its north, and Yemen to its south. Egypt, who believed in monotheism and resurrection of the dead even before Christ, hosts the world's oldest and truest Christian church *because Egypt had tried it all*, from military might to agricultural abundance to architectural marvels, **and learned that only faith matters**. Egypt has much to teach. Yet, instead of learning from Dr. Assa'ad-Faltas' unique aggregate of talents and expertise, SC's judicial system obsessed on trying to humiliate Dr. Assa'ad-Faltas and rob her and her family of all they have, *even if it means destroying the integrity of SC's judiciary and forfeiting all opportunities for useful learning, just as Joab made the tactically-stupid move of lining his soldiers under the enemy-defended wall because his aim was to kill Uriah*.

This second supplement is necessitated by: (1) the attached 25 January 2016 letter from SC Circuit Judge Newman's current law clerk, (2) discovery that a second drug case against Dr. Assa'ad-Faltas' false accuser Teresa Ingram was dropped by Richland County's Sheriff Department (RCSD) probably to reward Ingram for having testified falsely against Dr. Assa'ad-Faltas; and (3) the 25 January 2016 death of a murder suspect (supposedly innocent till proven guilty) by "gunshot wound to the head" (like false accuser Larry Wayne Mason's second wife) rushed to be ruled a suicide by RCSD without adequate investigation.

Recent *60 Minutes* report, on the life of the successful petitioner in *Hinton v. Alabama* after his exonera-

tion-release from a thirty-year ordeal on death row, opened with an alarming fact: **every month in the U.S., ten prisoners are proved innocent of the crime that caused decades of imprisonment.**

And recent law-enforcement-officers' (LEOs) shootings/killings of minority suspects under false pretexts that the deceased threatened the shooter/killer LEO have established that the U.S. (and SC's) supposed criminal justice system is NOT accurate and the U.S. (and SC's) supposed LEOs are NOT truthful.

Dr. Assa'ad-Faltas courageously submits that the actions of the current system, like Joab's lining his soldiers in the most vulnerable position, are explained by the true purpose of the actions. As Joab's true goal was to kill Uriah, not to take the city, the system's true goal is not to reduce crime but to suppress the politically-disadvantaged minorities while enriching Jean Toal's chosen lawyers with prosecutors' salaries, court-appointed defense lawyers' fees and forced lawyers' fees from Dr. Assa'ad-Faltas' family.

Why else would this Court and its underlings **ignore massive crimes perjury of which Dr. Assa'ad-Faltas filed objective proof since March 2010, continuing drug/prostitution arrests and/or convictions, and suspicions of murder by her false accusers** while obsessively trying to force her highly-educated, hard-working immigrant family pay for private lawyers to work *against* her interests?

Dr. Assa'ad-Faltas' contact with now-SC's 5<sup>th</sup> Judicial Circuit's Chief General Sessions Administrative Judge Clifton Newman was for the sole purpose of getting a hearing on her **three-year pending motion for reimbursement of indigent pro se defense expense** after she, thank God, exonerated herself *pro se*. This Court's 6 November 2013 and 30 January 2014 ORDERS clearly allow Dr. Assa'ad-Faltas to file *pro se* in any criminal matter in which she is allowed to proceed *pro se* by the presiding judge. Judge Newman had presided over Dr. Assa'ad-Faltas' 22-26 February 2010 General Sessions jury trial, complimented her *pro se* advocacy as "most pleasant and gracious," "not frivolous at all" and "not in any way" offensive to Judge Newman, and allowed a young lawyer to sit and learn from that trial. Thus, Dr. Faltas is entitled to file the motion and proposed order *even under this Court's oppressive and discriminatory orders robbing her of the dignity to speak for herself in civil matters*. Law Clerk Gunby's actions betray her aim as, like Joab's, not justice, and not even following this Court's orders, but mere oppression.

This supplement also summarizes objective evidence (buttressed by recently-obtained and attached transcripts of court hearings from 2010) of conspiracies condoned, if not initiated, by this Court to frame Dr. Assa'ad-Faltas and/or thwart her exoneration. Following is a basic chronology:

In August 2008, this Court affirmed Dr. Faltas' and her mother's eviction from 436 Byron Road. While awaiting rehearing, Dr. Faltas paid Landlady Koon the rent for all of September 2008 and the first third of October 2008. Dr. Faltas also rented an apartment from Dinah Steele, not knowing that Steele charged Dr. Faltas 150% of the rent Steele charges native-born tenants for any of her eight identical apartments.

On 30 September 2008, Koon and RCSD forcibly threw from 436 Byron Road Dr. Faltas and all belongings she had not finished moving into the apartment she had rented from Steele and/or into storage. Koon never refunded Dr. Faltas' security deposit of the prepaid rent for the first third of October 2008.

Dr. Faltas later discovered that Koon did not actually own 436 Byron Road but had it mortgaged to a bank and schemed to evict Dr. Faltas and her mother to facilitate Koon's plan to default on the loan yet thwart foreclosure by falsely pretending the house to be Koon's primary residence. Koon defaulted on her loan on 1 October 2008, the day after she violently set Dr. Faltas out. Koon had thus perpetrated what real estate labels "mortgage fraud," *and* fraud upon this Court by misrepresenting the purpose of the eviction she had filed against Dr. Faltas and her mother. Dr. Faltas then filed objective proof of same and the relevance of the after-decided *Caperton v. Massey*; but this Court ruled itself without jurisdiction over the matter.

Traumatized by the violent set out, Dr. Faltas' family encouraged her to build a house for her mother and herself. Dr. Faltas noticed that land adjacent to her Steele-owned apartment on 304 Byron Road was vacant and had an open southern exposure suitable for a well-designed completely solar house.

By 3 March 2009, Dr. Faltas had secured a special exception to build a single-family residence on that land, and had closed on it for her mother and herself. On 6 March 2009, it was assigned the address: 324 Byron Road, Columbia, SC 29209. And on 12 March 2009, Steele and her consort Mason learned of it.

Knowing that the sewer lines from 304 and 300 Byron Road had been illegally and surreptitiously run under and across what became 324 Byron Road, and that the 304 Byron Road building was not sufficiently

set back from the property line between it and became 324 Byron Road, Steele and Mason quickly understood that Dr. Faltas' and her mother's plan to build for themselves a residence on 324 Byron Road would result in the code-condemnation of the buildings on 300 and 304 Byron Road, Steele and Mason started a war against Dr. Faltas and her mother, who did not discover the sewer lines until April 2009.

On 25 March 2009, Dr. Faltas sued *pro se* Koons and her associates and Steele and her associates for housing discrimination. Upon discovering Koon's "mortgage fraud" (because the bank filed foreclosure against Koon) and the sewer lines situation. Dr. Faltas sought to amend her complaint and add the City of Columbia and other entities and causes of action and also sought an injunction to reroute the sewer lines and prevent Steele and Mason from harassing Dr. Faltas and her mother. By the time the injunction motion came to a hearing on 1 December 2009, Dr. Faltas had acquired evidence that the City of Columbia was conspiring with Steele and Mason to have Dr. Faltas falsely arrested for crimes she did not commit.

The 1 December 2009 hearing included this testimony by Larry Mason upon examination by Dr. Faltas:

[page 74, lines 17-19] **DR. FALTAS:** Let, let me, let me, let me then try to, to establish very quickly what, my, my -- the irreparable injury is going to be. May I?

[20] **THE COURT:** Yes, ma'am.

[21] **DR. FALTAS:** Okay. Thank you.

[22] **BY DR. FALTAS:**

[23-25] **Q.** In March 2009, after you discovered that Mother and I bought that land, your wife tried to evict me. Isn't that correct?

[page 75, lines 1-8] **A.** [1-4] We evicted you beginning March the 1st, 2009. You were issued an order at that time that you were being evicted from the apartment for harassing the other tenants in the apartment. Had nothing to do with the sewer line. [5-8] It had nothing to do with the lot. It had to do with your harassment of the other tenants in that building, and the harassment of myself and my wife when we were over there trying to do work.

[9-10] **Q.** Therefore, if that goes through, you will not give me a good reference to rent somewhere else if you ---

[11-12] **A.** I wouldn't give you a reference to rent anywhere. Not even in this courtroom.

[13-16] **Q.** All right, and then if I cannot build on the land Mother and I bought, then I, then I could be homeless if you are successful in evicting me. Wouldn't that be correct?

[17] **A.** You would be homeless. Wouldn't bother me a bit.

[18-19] **Q.** It would have a risk to me, would it not, if I were homeless?

[20 to page 76, line 5] **A.** You have been evicted from the apartment. You have already run this through the court. The court has already evicted you from the apartment. You're still there. You complain to everybody that the apartment is a piece of trash and you don't need to be living there, but yet you're fighting to stay there. You've been fighting to stay there for a year. You filed complaints with the fire department, the human affairs department, the City of Columbia, the zoning department. Even to the point that you've now had our trees cut down, claiming you're the owner of the apartment.

[6-11] **DR. FALTAS:** Judge, I object to all he's saying, but, but I'll, I'll -- I mean, a whole, a whole lot of it is hearsay and false, but I've established that he won't, that it won't bother him if I were to be homeless. But I am sure that you would agree that would be an irreparable injury to me.

[12-13] **THE COURT:** I'm, I'm not making any comments at this particular point.

[14] **DR. FALTAS:** And, yeah, that's fine.

[15] **THE COURT:** You just need to go forward and ---

[16] **DR. FALTAS:** And it -- yes, yes.

[17-18] **THE COURT:** --- present whatever evidence you have to present.

[19] **DR. FALTAS:** Yes.

[20] **BY DR. FALTAS:**

[21-24] **Q.** And, and did there come a time when the City of Columbia offered to put new sewer taps on the rental property, provided your wife was to pay expense of hiring a plumber to connect to the new sewer caps?

[25 to page 77, line 1] **A.** The City of Columbia sent us a letter saying that they would allow us to hook on to the sewer at a different point away from your property if we wanted to. However, the sewer line's been there for thirty-one years, and I believe under a matter of law that's an easement. It's a physical -- it's not a matter of you didn't see it whenever you bought that property. It's sticking out of the ground. Anybody can see it.

[8] **Q.** So ---

[9] **A.** And I don't intend to move it.

[10-11] **Q.** So, your position is that you should keep the sewer lines on my land forever?

[12-17] **A. I do not intend to move the sewers line.** Now, if you want to remedy that in a courtroom, we can do that. You can file your lawsuit, and we'll go to court, and we'll see if we can remedy that in court. But I think under the law, I have the right to leave it right where it is because it's been there for thirty-one years.  
[18-20] **Q. So, it doesn't matter to you whether it's an injunction or a trial? What you want to do is to keep the sewer line?**

[21] **A. I am not going to move it.**

[22-23] **Q.** And if a court, whether by injunction or by, by trial finds that ---

[24] **A. I've got no such order, so I'm not moving it.**

[25] **Q.** I'm saying if, what will you do then?

[page 78, lines 1-4] **A.** If I was ordered by a judge to move it, I would move it. But I'm not ordered by a judge to move it. **And I want to point out that the drawing that's made up by the city was actually made up by you, I believe.**

[5] **DR. FALTAS:** Judge.

[6-7] **A.** It's not made up by the City of Columbia. It was made out by you.

[8] **DR. FALTAS:** Judge?

[9-10] **A.** I don't think you really have had any indication of where the sewer lines actually run.

[11] **DR. FALTAS:** Judge?

[12-14] **THE COURT:** Mr. Mason, if you just would answer the questions that are asked, please. Go ahead, Ms. Faltas, Dr. Faltas.

While Dr. Faltas was later testifying, Mason mouthed to her "I'm gonna get you." The hearing ended circa 7:00 pm with SC Circuit Judge Lee taking the motion under advisement. The next morning, Mason led ten City of Columbia Police Department (CPD) investigators and officers to arrest Dr. Faltas, ransack her car and apartment, and seize all evidence she had gathered for, and filed in, her civil suit or are exculpatory.

Dr. Faltas was then prevented from returning to her own apartment where she paid rent. When, on 12 December 2009, she needed police escort to retrieve a coat and shoes from her apartment in anticipation of a hard freeze, she was falsely arrested for "improper use of a telephone." When, on 16 December 2009, Dr. Faltas filed with this Court a scholarly challenge to SC's three statutes: (1) prosecutorial control of the criminal docket; (2) harassment and stalking; and (3) unlawful use of telephone, as unconstitutional on their face and as applied to her, then-SC-Chief-Justice-Toal issued an order preventing Dr. Faltas from seeking any extra-ordinary writ of this Court without a lawyer. **Prosecutorial control of the criminal docket was later invalidated on exactly the same grounds argued by Dr. Faltas.** The unlawful use of telephone statute *has been limited by this Court* but CPD had not respected that case law in falsely arresting Dr. Faltas. And SC's harassment and stalking statutes, which an SC law professor had labeled "**A Study in Bad Drafting**," remain untested because Jean Toal could not stand Dr. Faltas' intellect.

SC Circuit Judge Lee issued her 22 December 2009 ORDER for a preliminary injunction and Dr. Faltas attached it to her motion for rehearing of Jean Toal's 20 December 2009; but to no avail.

The attached transcripts prove that, not only Dr. Faltas, but also Officers-of-the-Courts Pringle and Strickler, **in addition to Judge Lee**, believed the criminal charges against Dr. Faltas meritless and brought only for Mason and Steele to gain unfair advantage in the civil litigation. **Dr. Faltas' civil law suit was tested thrice: (1) By SC Circuit Judge Lee's issuance of an injunction in Dr. Faltas' favor; (2) by then SC-Circuit Judge Childs May 2010 ORDER allowing Dr. Faltas to amend it and add defendants and causes of action; and (3) Judge Lee denying dismissal in July 2011.**

**Also, Dr. Faltas had prevailed pro se in all four other civil lawsuits she had brought in SC state courts.** Yet, on 8 April 2011, Jean Toal decreed that Dr. Faltas is "frivolous" and should not file anything except with a lawyer *whose submission is pre-approved by Toal herself*, without explaining how Dr. Faltas could have been frivolous if she won or what jurisdiction Toal had to pre-review trial papers.

Chief-Justice Pleicones never hesitated to conform law to good public policy; *e.g.*, *Fabian v. Lindsay*:

I agree that public policy considerations dictate a relaxation of the strict privity requirement [...]. *See Russo v. Sutton*, 310 S.C. 200, 204, 422 S.E.2d 750, 753 (1992) ("We have not hesitated to act in the past when it has become apparent that the public policy of the State is offended by outdated rules of law."); *see also Auric v. Continental Cas. Co.*, 331 N.W.2d 325, (Wis. 1983) ([...]). [...] *See Lucas v. Hamm*, 364 P.2d 685, 687 (Cal. 1961) (stating the policy reasons, such as the foreseeability of harm [...]); *see also* Restatement (Third) of the Law Governing Lawyers § 51(3)(a) (2000) (stating a lawyer owes a duty to a non-client [...]).

It is unquestionable that public policy requires holding prosecutors accountable for suborning perjury, forgery and fabrications and for equal treatment of immigrants in the court and for property rights.

This Court made Dr. Assa'ad-Faltas homeless and gave support to those who kept her clotheless in a winter storm and hungry in an unjust prison where she could not eat the food. It later sought to make her family accountable for paying for her to stay in a special-rate hotel rather than be on the streets.

The attached transcripts show SC Circuit Judge Gafford Thomas Cooper, Jr., probing every dollar Dr. Faltas' mother has yet **literally physically walking out of the courtroom while Dr. Faltas was in mid-sentence seeking speedy trial, equal access to the courts, and return to her apartment for which she was made to pay rent but from which she was exiled.**

Contrary to then-Solicitor Weiss' **false representation in August 2010**, the harassment counts were NEVER called for trial/retrial and the City of Columbia's Municipal Court NEVER had jurisdiction on them. Only on 13 August 2012, was Dr. Faltas given any chance to seek dismissal of those fabricated charges, which she did ably *pro se*. How Dr. Faltas was mistreated goes beyond unfairness to depravity.

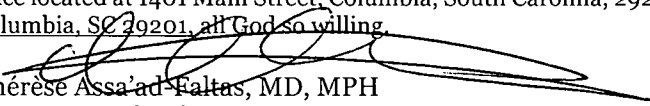
Dr. Assa'ad-Faltas incorporates herein by reference all the arguments she made in the courts below as documented in the attached transcripts as if stated verbatim in this supplement to the motion. She also shows that lawyers who were forced on her acted unethically against her interests and lost her cases, whereas, when Dr. Faltas was allowed to advocate *pro se* in any SC state court, she always won.

Dr. Assa'ad-Faltas adds that, on her way to filing this second supplement, she stopped at her P.O. Box and found this Court's 7 January 2016 ORDER which had been misaddressed to her, returned to this Court's Clerk's office, and sent again to the correct address by the Clerk, for Dr. Assa'ad-Faltas to learn of it only today. This amendment to this motion will delay the attachment of other exhibits but Dr. Assa'ad-Faltas shall, God willing, to further supplement with the additional exhibits, God willing, tomorrow or later.

Dr. Assa'ad-Faltas thanks this Court for said ORDER and appreciates Chief Justice Pleicones' resumption of participation in her cases. She continues to ask Justice Beatty to resume participation unless there is any reason other than the Theodore Nichols Lupton matter for Justice Beatty to not participate. Further, Dr. Assa'ad-Faltas will nonetheless continue to argue for and demand all her rights, not just the crumbs.

WHEREFORE, Dr. Assa'ad-Faltas asks that Chief Justice Pleicones and Justice Beatty resume participating in her cases, that Judge Newman be designated Acting Justice for this matter and that SC's Supreme Court so constituted **or a substitute Supreme Court** investigate, not only this motion but SC's system having failed Dr. Assa'ad-Faltas since her false 2 December 2009 arrest *and every day since*. Again, this Court should do so, not only to give Dr. Assa'ad-Faltas her long delayed justice, but for its own integrity.

Submitted on 26 January 2016 and served by personal delivery of a copy thereof to the City Attorney for the City of Columbia, Attorney for Respondent, at her office located at 1401 Main Street, Columbia, South Carolina, 29201, and on Mr. Dudek at his office at 1331 Lady Street, Columbia, SC 29201, all God so willing.

  
Marie-Thérèse Assa'ad-Faltas, MD, MPH  
P.O. Box 9115, Columbia, SC 29290

Phone: (803) 783-4536 e-mail: Marie\_Faltas@hotmail.com



State of South Carolina  
The Circuit Court of the Third Judicial Circuit

Clifton Newman  
Judge

Post Office Box 516  
Kingstree, SC 29556-0516

January 25, 2016

RE: Order of Supreme Court

Dear Dr. Marie Assaad-Faltas:

Judge Newman requested that I contact you regarding a call and an email from you on Wednesday, January 20, 2016. You contacted our office again on Thursday, January 21<sup>st</sup>, and Friday, January 22<sup>nd</sup>.

In response to your attempts to schedule a hearing regarding the Proposed Order that you submitted, please pay close attention to the attached Order of the Supreme Court of South Carolina dated January 30, 2014, restating the restrictions that apply to you.

In compliance with the Order, please do not contact any of our offices.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Gunby".

Elizabeth Gunby  
Law Clerk to the Honorable Clifton Newman

STATE OF SOUTH CAROLINA  
County of Richland

GENERAL SESSIONS  
2010-GS-40-11980, 2010-GS-40-11987

STATE OF SOUTH CAROLINA

vs

MARIE ASSA'AD-FALTAS,  
DEFENDANT,

TRANSCRIPT OF RECORD

August 30, 2010  
Columbia, South Carolina

**BEFORE:** THE HONORABLE G. THOMAS COOPER, JR., JUDGE.

**APPEARANCES:** HEATHER WEISS, ASSISTANT SOLICITOR, Attorney for the State  
FIELDING PRINGLE, ASSISTANT PUBLIC DEFENDER  
DOUGLAS STRICKLER, PUBLIC DEFENDER  
MARK SAWYER, ASSISTANT PUBLIC DEFENDER  
CLARK NEWTON, ASSISTANT PUBLIC DEFENDER, Standby Attorneys for the Defendant  
MARIE ASSA'AD-FALTAS, APPEARING PRO SE

KAREN AMBROZIAK  
Official Court Reporter

[page 2] C O N T E N T S

CERTIFICATE OF REPORTER 30  
COURT'S EXHIBITS

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[page 3, lines 1-2] \_\_\_\_\_ (WHEREUPON, Court's Exhibit No. 1 was marked for identification only.)

[3] **THE COURT:** Ms. Pringle, it's your motion.

[4] **MS. PRINGLE:** Yes, Your Honor.

[5] **THE COURT:** You may proceed.

[6 to page 4, line 2] **MS. PRINGLE:** [6] Thank you, Your Honor. [7-12] This is my motion that's filed on behalf of my office. Just for the record, Your Honor, this is – was filed as a motion for day certain in the case of *State of South Carolina vs. Marie Assa'ad-Faltas on charges stemming from warrants number K613792 and K613793, two counts of harassment second [verbatim] degree*. [13-16] Present in the courtroom with me today are Mark Sawyer, Clark Newton, and Doug Strickler of my office. **The defendant, Marie Assa'ad-Faltas, is also in the courtroom as is Heather Weiss with the State, Your Honor.** [17-21] Your Honor, if I may — and I'll try to be brief, but I do have quite a few things to say. I'd like to provide the Court some history of what's taken place here and explain to the court how I have modified this motion to some extent. [22 to page 4, line 2] **Since the time that I filed this motion, which was on August 12th this year and the court's hearing today, it's my understanding from the State that these two charges were remanded back to city court last week. I don't know the exact date, but Ms. Weiss can provide that for us here today but it is —**

[3-6] **THE COURT:** [3-4] Well, before we proceed, let me – why don't we just get that on the record. [5-6] Ms. Weiss, what's the status of this case at this point?

[7-8] **MS. WEISS:** Your Honor, both warrants have been remanded back down to City Court as of last Thursday.

[9-11] **THE COURT:** All right. So in your opinion, this court has no further jurisdiction with regard to these two charges?

[12] **MS. WEISS:** Yes, Your Honor; that's correct.

[13-14] **THE COURT:** All right. I just wanted that on the record.

[15-16] **MS. PRINGLE:** And if I may inquire what the chance what the charges were remanded as, in what form.

[17-18] **MS. WEISS:** They were remanded as harassment second degree, Your Honor.

[19-20] **THE COURT:** Does Magistrate's Court have jurisdiction?

[21] **MS. WEISS:** Yes, Your Honor.

[22] **THE COURT:** All right. Go ahead.

[23 to page 5, line 2] **MS. PRINGLE:** Your Honor, if I may proceed, Mr. Strickler is going to respond to the issue of jurisdiction. I do — **it is our position that you would have jurisdiction to make determinations regarding these two charges regardless of the status of the remand.**

[3] **THE COURT:** Concurrent?

[4 to page 6, line 6] **MS. PRINGLE:** [4-7] Yes, Your Honor, general jurisdiction. I have also modified what I intend to do today, and I gave Ms. Weiss notice of this on Friday in light of what took place with the remand of the charges. [8-11] **What I'm asking you to do today specifically, Your Honor, is to dismiss these charges. We object to the remand, and we move for this Court to dismiss the charges or order the State to dismiss these charges outright.** [12-15] I will say that my motion is being made on behalf of my office, but given the nature of that request, I have consulted Dr. Faltas to see if she would consent to me taking that approach. [16-19] I don't want to do anything that's disadvantageous to her or would harm her in any way. She does consent to that. She is okay with — expressed consent for me to convey that with the Court. [20-23] She also filed last week her own, independent of our motion, objection to the remand. So I think that we're all clear and on the same page as to that. That's the first thing I'd like to take up. [24 to page 6, line 3] The second thing would be issues related to our role as standby counsel. By way of history in this, Your Honor, in this case, Your Honor, you appointed us as standby counsel on January — I believe 10th of 2010, 11th excuse me, January 11th, 2010. [4-8] Dr. Faltas was arrested on these two charges on December 2nd, 2009. We were relieved, and she was granted her request to proceed *pro se* by Judge James on 12/17, and then she filed a motion for standby counsel. And you appointed us as standby counsel on January 11th, 2010. [9-15] Subsequent to that, she has been charged with two additional sets of charges in City Court, and I bring that up because it is somewhat connected to what's been going on up here with the standby issue as our -- it seems that your standby order has flowed down from City Court, and they appointed Mr. Newton as standby counsel in City Court, as well. [16-19] But specifically, Your Honor, she was charged with improper use of the telephone and abuse of dispatch on 12/12/09. Those are City Court charges and have been at all times. [20-22] She was also charged on July 8th, 2010 with simple assault *[verbatim]* and trespass. Those are also City Court charges, and we are appointed down there, as well. [23 to page 7, line 3] She has some older charges preceding all of this, as I understand it — I don't know the date -- of front yard parking and disorderly conduct *[verbatim]* that are also City Court charges, and all of which we have apparently been appointed as standby counsel down there, as well. [3-9] Just so the Court understands how things have been assigned and proceeded in our office, Mr. Newton has been assigned and appointed to the charges in City Court. Mr. Sawyer has been handling the charges in General Sessions court. Although I have become somewhat-- or quite extensively involved recently with the General Sessions charges. [10-20] I think it's important to understand, I really have two issues. One, **I don't think these charges should still be pending. I think that they were remanded with the intent of avoiding, perhaps, this motion and hearing.** Though I don't have any communication from Ms. Weiss as to why they were remanded or anyone from the State's office as to why they were remanded. I don't know, but it seems quite coincidental that we filed this motion, and then they were quickly remanded. This case, Your Honor, goes back to a civil suit that was filed by Dr. Faltas in March of 2009. [21-23] There are — have been extreme difficulties, personal and business difficulties, between Dr. Faltas and the litigants in the civil suit filed in March 2009. [24 to page 8, line 5] A hearing was scheduled to be heard in front of Judge Alison Lee on December 1st on 2009 on Dr. Faltas' motion for a preliminary injunction against the defendants who are now the alleged victims in this case the day after Dr. Faltas was arrested for harassment second degree by those same defendants, alleged victims of the harassment charges. [6-10] Your Honor, I — I would really like to speak to the -- to the merit of what I perceive to be from looking at all of this, the lack of merit of these charges, but I don't think I can do so more articulately than Judge Lee did in her order dated December 22, 2009. [11-13] She issued an order for a preliminary injunction granting Dr. Faltas' motion. I don't know if you had an opportunity to read this. It's been provided to you. [14-17] I have marked it for the purposes of this hearing as Court's Exhibit No. 1. I would just ask, invite the Court, to review that again in making a determination about what should take place with these charges. [18-23] I truly cannot speak to it even close to as articulately as Judge Lee did. She very clearly perceived what was going on between these parties and what led to these charges, and I think she had a lot of skepticism herself about why these charges were brought the day after the hearing on that motion. [24 to page 9, line 4] And when — *when you read that order, and you really put together a timeline of what took place here, I*

think it is undisputable that these charges lack merit, *and I don't think they're going to successfully prosecute her at any point in time.* She was tried in February, and the jury hung. After a week-long trial, the jury hung. [5-10] Dr. Faltas proceeded as a *pro se* litigant, and with all respect to her, Your Honor, I think any *pro se* litigant facing any charges, but particularly these kinds of charges, are going to have an uphill battle when they are proceeding *pro se* with charges of this nature. Nonetheless, she proceeded *pro se*, and she hung the jury. [11-14] *Since that time at the end of February, she has asked for the case to proceed back to trial. She has asked them to call the case to trial. They have avoided it and not called the case to trial.* [15-19] *They have given every indication that they don't intend to call the case to trial by their most recent action being the most -- the lesser action in remanding these to City Court so that they don't have to deal with it.* [20-23] I think, Your Honor, that in sum, what that means is these charges are meritless, and our involvement becomes completely unnecessary if these charges are dismissed with respect to what those charges carry. [24 to page10, line 3] I'm going to ask you, Your Honor, today -- and this is really the crux of this hearing and the crux of this motion -- where the rubber meets the road for us is that we need -- our office needs to be relieved as standby counsel. [4-8] Dr. Faltas does not wish for our office to be relieved as standby counsel. I think that she has a need for someone to assist her.

[7] **THE COURT:** You say she --

[8-9] **MS. PRINGLE:** She does not. She has filed motions in the past indicating a desire to have us relieved.

[10] **THE COURT:** Well, you --

[11] **MS. PRINGLE:** Several motions, in fact.

[12 to page 11, line 25] **THE COURT:** [12-14] Yeah. Let me just -- let me -- let me just -- I've -- I've gone back and reviewed those motions. Let me just put them on the record. [15-17] On April 2nd, she moved -- this is the final motion -- to disqualify and replace Mark Sawyer and the Public Defender's Office as her standby counsel. [18-22] On April 22nd, some two or three weeks later, she says -- she makes a motion to reflect that she is appearing *pro se*, and that Mark Sawyer's involvement at all as her standby counsel and must appear at all -- must respect Dr. Faltas' rights of self-representation. [23 to page11, line 3] She goes on further in that motion to say she has the right to represent herself without interference by standby counsel. She goes on to say Dr. Faltas -- I want to make it clear to everyone -- clear to everyone, must understand, Mr. Sawyer does not and cannot make legal decisions for her. [4-10] She goes on to say in that same motion -- she says Dr. Faltas is not *pro se* but as represented by -- hereby asserts that she is not represented by nor will accept representation from anyone in the Richland County Public Defender's Office, and if need be, to eliminate any doubt, she will glad fire -- excuse me, fire Mark Sawyer as her standby counsel for future events. [11-18] June 24th, she says -- Dr. Faltas' motion objecting to standby counsel's choice of a hearing judge. She says that she does not -- she does -- she now does wish for Mark Sanford -- I'm sorry, that was a Freudian slip, Sawyer to be relieved as her standby counsel without that affecting any other relationship she has presently or can in the future have with the Richland County Public Defender's Office. [19-21] She strongly objects to Mr. Sawyer's representation on her motion, and at one point in time -- I forget which of these motions. [22 to page12, line 1] It was the first motion on April 2nd, didn't go far enough, but she says for the new attack to succeed, Mark Sawyer had to be forced on Dr. Faltas since he cannot defend her as well as she did herself, and she calls him Traitor, Traitor Sawyer. [2-8] Now, Ms. Pringle, Dr. Faltas has a way of seeing things for the moment. I mean, what -- I have -- I haven't ignored these, but I have certainly not acted in the past to -- because I thought it was in her best interest that Mark Sawyer stay as her standby counsel. [7-11] Here, here, it's just blatant rejection of your office and Mark Sawyer as her counsel. So you know, is it convenient for her to want counsel now? She says she doesn't want counsel when things aren't going good. I mean, it's either you are or you're not. [12-14] You know, I get frustrated seeing these things and then hear you come in and say she now wants counsel, but I need to put that on the record. [15] Go ahead.

[16-23] **MS. PRINGLE:** [16-18] Yes, sir, Your Honor, and that has been a recurring theme and a recurring issue and a recurring problem. [19-23] All I can speak to today -- I think I -- and I think I need to be careful, as this is not an *ex parte* hearing, unless we were to convert it to an *ex parte* hearing to possibly be a bit more specific -- it is my understanding at present that she is okay with us remaining involved.

[24] **THE COURT:** At present I think is the key word.

[25] **MS. PRINGLE:** At present. Our —

[page 13 lines 1-2] **THE COURT:** Next week it may be something completely different so go ahead.

[3-7] **MS. PRINGLE:** And I don't know what may come. I think that is — that is partly why — I believe that taking my office out of this completely would be very much in our interest, but also quite possibly in her interest. However —

[8-9] **THE COURT:** [8] I tend to agree with you on that issue. [9] Go ahead.

[10 to page 15, line 22] **MS. PRINGLE:** [10-13] I do think that there has to be some resolution to the issue of communication between her and the Court and the prosecuting parties involved in the case. [14-17] What — the only role that we've been providing is a buffer and a ghost ring, and while that sounds like it might be fairly limited, it's not. It is something that is extraordinarily consuming. [18-24] And many of the issues that she has are quite legitimate. The concerns she has are quite legitimate, but it's not — it's not a question of scope but of quantity, and there is -- there are -- there have been hours and hours and hours of Mr. Strickler, myself, Mr. Sawyer, Mr. Newton, and it's become just simply untenable for our office, Your Honor. [25 to page 14, line 3] I know that you're aware of our situation. And I know I don't need to go into too much detail about this, but for the record and also for Dr. Faltas, I'd like to — to point out that Mr. Newton has 319 active cases. [4] Mr. Sawyer has 156 active cases. [5-10] Our office, as a whole, in the last two years — and you observed this yourself, Your Honor — has been cut funding 25 percent. It's a quarter of our overall budget. We have lost almost ten attorneys. We will have lost ten attorneys very soon which brings our attorney staffing down by a third. [11-14] And while I want to help Dr. Faltas, and I've — I've expressed that to her — and I want to be of assistance to her -- I would like for us to be able to, we simply don't have the resources to go on with this indefinitely. [15-19] We don't have the manpower to do it, and I think that it is a quite difficult position for us to be in as an office. We basically make that more complicated by getting so many people involved, but it's been something that really has been necessary. [20-23] So what I'd ask you to consider doing today, Your Honor, is to appoint private counsel outside of our office who is one individual who can assist her to the extent necessary or as she so desires, if she desires. [24 to page 15, line 1] One of the tricky things in this is figuring out what we ought to do and what we ought not to do. It's very -- it is just tricky territory. [2-8] We are not her lawyer, and so I've tried to be very careful to — to both offer her assistance but not offer her too much assistance and restrict what we do and monitor what my attorneys are doing, and it's — it's become quite difficult for us to manage, Your Honor. [7-13] **Therefore, what I'm asking you to do today is to consider dismissing these charges. I ask you to read this injunction, order for a preliminary injunction again, consider where we are procedurally, where we've been over the last many months and where it appears the State intends to go or not intend to go and consider dismissing these charges.** [14-20] I also ask you to consider appointing private counsel to do -- assume our role, and if you're not inclined to do that, Your Honor — or if I may offer you a third alternative, it may be of assistance, if you're not going to definitely dismiss the charges, to define very, very specifically what our role is so that we can have some guidance that we can assist her in the courtroom. [21-22] I would think that that will not be of much use to us, however, if we are still to be the go between.

[23 to page 16, line 5] **THE COURT:** Well, I am inclined to grant your motion to relieve the Public Defender's Office. Now, the appointment of 608 counsel is problematic because I have no concept one way or the other if she will accept any other representation other than herself, even as standby counsel. I think the first thing to do is to remove your office from responsibility, and we'll see where it goes.

[6-9] **MS. PRINGLE:** Yes. I would be happy, at this time, if you'd like for me to ask her if she would accept appointment of outside counsel. I think that she needs it, and I'd be happy to ask her that right now —

[10] **THE COURT:** Well —

[11] **MS. PRINGLE:** -- if you'll give me an opportunity to.

[12-17] **THE COURT:** — some of these motions have said — I'll just make this a part of the record also -- that she does not believe that any standby counsel has any more knowledge of the law or procedure in this State than she does. So you certainly are entitled to ask her if she wishes —

[18] **MS. PRINGLE:** I'll —

[19] **THE COURT:** — standby counsel.

[20-25] **MS. PRINGLE:** I'll be happy to ask her that. I think again, Your Honor, that I — I really am compelled to point out that if she is left without any counsel, she won't be able — it will be very difficult for her to proceed because no one will communicate with her. So that, I think, is part of the problem.

[page 7, lines 1-5] **THE COURT:** Well, it's not difficult for her to proceed. She is a veteran litigant, and she will continue in that vein, I'm certain, whether she has counsel or not. But go ahead if you wish to discuss it with her on the record.

[6] (Pause.)

[7] **THE COURT:** Yes, ma'am.

[8-18] **MS. PRINGLE:** [8-12] I think, Your Honor, for the record, I have just consulted with her very briefly. She does wish to have some assistance of appointment of private counsel if you're so inclined to appoint. She does not wish — **she wants very much to represent herself.** [13-18] **She maintains that very clearly, and she wanted me to be emphatic about that and point that out.** But she would like to have someone appointed to assist her and help her. Her biggest issue, as she just reiterated to me that I've been bringing up, is communication with opposing counsel as her — is the role.

[19] **THE COURT:** All right. All right.

[20] **MS. PRINGLE:** And —

[21 to page 18, line 2] **THE COURT:** [21] I'll be glad to. [22-25] Now, back to what I consider the thorny issue, that is the jurisdiction of this court with regard to your motion that the case is to be set for a day certain or in the alternative dismissed. [page 18, lines 1-2] What do you say? **Mr. Strickler, can you address that point?**

[3] **MS. PRINGLE:** Yes, Your Honor.

[4 to page 19, line 18] **MR. STRICKLER:** [4-5] Well, first of all, you know, Your Honor, I would echo what Ms. Pringle mentioned. [6-8] **At the time of our initial involvement in the case, I had the opportunity to review the order of Judge Lee just -- that she has referenced and which Your Honor has.** [9-12] ***I, at that point in time back in December or early January of this year, arrived at the same conclusion as Ms. Pringle did regarding my opinion as far as the merits in this particular case.*** [13-16] ***I think I probably expressed that to a number of people over the -- over time. I, too, have come to the same conclusion, and I just learned about this over the weekend.*** [17-23] I was out last week so regarding the remand as Ms. Pringle uses the expression in discussing other circumstances, but you know, ***I have, I would submit, clients who are serving life sentencing right now with weaker circumstantial evidence than that which exists for the Solicitor's remand being an attempt to circumvent what would happen with the case if we handled it here.*** [24 to page 19, line 8] Yeah, Ms. Pringle outlined the timeline involved, the extensive period of time. You know, I would just add the decision of the part of the State to seek a competency evaluation at the 11th hour, statements at that point in time when the case would be called for trial in August, if the competency evaluation weren't done, and what, now the remand again at the 11th hour that we would have to face Ms. Pringle's motion. [7-9] Your Honor, this Court, specifically as to the two charges that the State indicates agreement, is a court of general jurisdiction. [10-16] **Your Honor, as the administrative judge, has the additional duty to supervise the general administration of justice in this -- in this county, in this circuit.** It's -- you're far more aware of the parameters of your powers of administrative judge as set forth in the orders issued by the Chief Justice than I am, but I think your powers as administrative judge are very broad. [17-18] **You certainly have a supervisory, I would submit, obligation in this matter.**

[19-21] **THE COURT:** Well, I guess the bottom line is if it has been it remanded, I'm just -- is there a document that remands, Ms. Weiss, or is it verbal?

[22-24] **MS. WEISS:** No, Your Honor. It's a piece of paper we fill out to remand it to Municipal Court. It's also in the clerk's office.

[25] **THE COURT:** It's on file in the clerk's office?

[page 20, lines 1-3] **MS. WEISS:** Yes, Your Honor. I would assume the office does. As far as I know, it should be on file — should be on file at the latest, Friday.

[4-9] **THE COURT:** Now, how do you — Mr. Strickler, how do you propose that this Court reverse that decision? That is — **I tend to agree with you, this court has general jurisdiction, probably has the jurisdiction to dismiss this case,** but have we lost jurisdiction as a result of the remand?

[10] **MR. STRICKLER**: We -- Your Honor --

[11] **THE COURT**: It reminds me of the appellant procedure.

[12] **MR. STRICKLER**: Yes.

[13-15] **THE COURT**: Once it's taken from this court, it's gone, and I think that's probably going to be the State's position.

[16] **MR. STRICKLER**: Well, then --

[17-19] **THE COURT**: It's still a pros -- it's still a prosecution by the State even if it's in the Magistrate's Court.

[20 to page 21, line 10] **MR. STRICKLER**: [20-24] *If they chose to avail themselves of the opportunity to go down a prosecuting remedy by the State, the prosecutor's office is still the same. It's still in the name of the State. It's not -- it would not in the name of the City of Columbia at this point.* [25 to page 21, line 5] I guess all I can do is fall back on, again, what Your Honor has just referenced which is the fact that this -- *this is a court of general jurisdiction, and it flies in the face of -- of everything I know about to say that one of the parties or the attorneys for the party by their action could deprive the court of jurisdiction.* [6-10] Now, I can't do it. The State certainly is vested with the other -- with the power to call cases. I understand that, **but I don't think they can -- can deprive this court of its right and its obligation to supervise the administration of justice in this county.**

[11] **THE COURT**: All right.

[12-17] **MR. STRICKLER**: This would be an example of general -- in concurrent jurisdiction. You have jurisdiction concurrently with that which is in -- which is with the City Court at this point in time. There is no such vesture as general and concurrent jurisdiction between this court and an appellate court. However --

[18] **THE COURT**: That was probably a bad example.

[19-23] **MR. STRICKLER**: [19-20] Well, I'm trying to give a couple of the examples that I see, Judge. [223] **The -- I don't think you've been deprived of your general jurisdiction simply because it's concurrent with that of the City of Columbia.**

[24-25] **THE COURT**: All right. Can you supply me with some authority? Not today.

[page 22, line 1] **MR. STRICKLER**: I can certainly try.

[2-8] **THE COURT**: [2] In the near future? [3-8] How about it, Ms. Weiss? What's the State's position with regard to the jurisdiction of this Court to A, reverse the remand, and B, dismiss the case in its entirety from this -- from this court?

[7] **MS. WEISS**: From this court, Your Honor?

[8-15] **THE COURT**: [8-9] Well, let me take it -- maybe I wasn't clear. [10-15] *What is your position as the State Solicitor as to the power of this court to recall, or however you want to phrase it, this case from the City Court to which it has been remanded; and thereafter, dismiss the case for lack of prosecution if the retrial is not held by a certain day?*

[16 to page 24, line 10] **MS. WEISS**: [16-19] Your Honor, it is my understanding that it is still the State's position to -- **the State's prerogative to call the case, to schedule the cases and to call the cases as we see fit.**

[20-22] It was the decision of the State to remand this case to City Court based on the interest of justice due to several factors, none of which was this hearing. [23 to page 23, line 2] This hearing is requested by the Public Defender's Office, but it was remanded to the City Court. *The City Court has several trials scheduled against Dr. Faltas: One scheduled to start, I believe today or tomorrow, that they're prepared to try.* [3-8] So this

was sent back to them to consolidate with everything else that they're already trying. **I don't believe that this court can call the case back up to General Sessions, as the case has been remanded.** [7-

10] It is now a harassment second in the City Court, Municipal Court, jurisdiction. However, as far as the motion to dismiss, I honestly can say, I am not totally up to speed. [11-16] I don't disagree with Mr. Strickler or Ms. Pringle as far as general jurisdiction, and I don't have authority to argue that at this point. I would be doing so somewhat uninformed. However, I do believe this is a court of general jurisdiction. However, I don't believe the motion to dismiss is proper. [17-19] We have tried -- we have tried the case. There is no lack of prosecution. The State has tried the case. The State has gone forward. [20-23] There have been

several impediments to prosecuting this case. I think we have overcome, you know, different barriers that have stood in the way, *and you know, I even stated with this case, we intended to try this case.* [24 to page 24, line 5] *It's either going to be tried in General Sessions court or Municipal Court.* It was actually set at that time, so this is not something that is totally brand new. This is a decision made on behalf of the State, on behalf of the Solicitor's Office's and the State, to remand the case in the interest of justice. I think it was the right decision. I don't think a motion to dismiss is proper. [6-10] *I think the case is going to be tried.* The facts are still relevant. The facts still make up the harassment charge. The victims are still out there, still exist, and I don't think it would be proper to dismiss even if this court had jurisdiction.

[11-16] **THE COURT:** [11-13] I understand that. It's muddy. It's a muddy issue, **the issue of jurisdiction following your remand. I'll take that under advisement.** [14-16] Ms. Pringle, can you assist the Court in preparing an order dismissing your office and ordering a 608 appointment?

[17-19] **MS. PRINGLE:** [17] I will, Your Honor. [18-19] And Dr. Faltas has asked me to express her desire to you to address the Court.

[20 to page 25, line 2] **THE COURT:** [20-22] Well, I have another matter pending at ten o'clock. I know -- I mean this in all -- with all due respect. [23 to page 25, line 2] Dr. Faltas has a tendency to offer protracted opinions to the Court. I expressed that in one of my prior orders. I don't have a lot of time. I'll give her five minutes if that's what she wishes, but I cannot -- I have other people waiting.

[3 to page 26, line 14] **DR. FALTAS:** [3-8] Thank you, Your Honor. And may I say, first of all, I thank Your Honor for the very principled order that you recently did even though it criticized me very strongly. [7-9] I think that was the principled thing to do because a constitutional right is just that. It's not a beauty contest or a charm contest. It's a constitutional right. [10-13] Now, very quickly, **the indictment is first degree. If the Solicitor cannot prosecute as first degree, then it needs to be dismissed.** There is case law after case law that says they cannot change the indictment in the middle. [14-17] *If they've remanded it to second degree, that's dismissal of first degree. If the City of Columbia wants to bring second degree charges, that's -- that's another point* [18-21] I also like -- *in supplement to the Honorable Judge Lee's order, the Honorable Judge Childs after that granted my motion, which was then pending, to add the City of Columbia as a defendant.*

[22 to page 26, line 1] The City of Columbia is now a defendant in that same lawsuit, and the motion to amend the complaint and add defendants was then pending, and the Honorable Judge Childs has ordered -- has retro and I'm talking the civil suit. [2-7] So now what they are trying to do is to get me tried in a municipal court that is a defendant in a civil litigation that I brought, and I have issue about the -- the municipal judges, everything, because they don't -- they serve at the pleasure of City Council which is a defendant in my civil lawsuit. [8-14] So the other thing, Your Honor -- another constitutional right which is -- a constitutional right is for everybody, not for the pleasant, not for those who can speak briefly, not for the beautiful, or for peaches and cream. There is substantive due process right, and unfortunately, the case of Potta (unintelligible) County vs. -- [15] **COURT REPORTER:** I'm sorry. What -- what case?

[16 to page 28, line 21] **DR. FALTAS:** [16-17] Pottawattamie County. I'll spell it. P-O-T-T-A-W-T-A-M-I-E [sic] County vs. McGhee. [18-20] That was the -- but **the Eighth Circuit U.S. Court of Appeals had decided that there is a substantive due process right to not be tried on false evidence.** [21-25] So it isn't that -- that the State can prosecute. Not only was -- was there lies after lies which -- humbly, my effective cross-examination brought out during the trial, after the trial I uncovered this much evidence,

not my word against theirs, but the public records. [page 27, lines 1-3] There's testimony in other -- in fact, one -- the one truthful thing somebody said is that the document that they used against me, *it wasn't his signature*. [4-8] I went as far as getting a deed from the Sumter County Register of Deeds, and it is, indeed, not his signature. So this is how far they have gone in presenting false evidence. They have presented forged signatures. [9-13] There is nothing. And in fact, that other alleged victim, her name is Teresa Ingram, she was a tenant at Dinah Steele and Larry Mason who are sitting here, and they were keeping her rent free until she testifies against me. [14-19] *That's bribing a witness*, and after she failed to get a conviction against me, they evicted her. She no longer even lives in Richland County, and the private investigator talked to her, and she said she doesn't even want them to know where she lives. Let alone, come and testify against me, *so the prosecution knows this*. [20-24] The prosecution also presented false evidence that the woman was employed, and I blocked her into -- from going to work, and I think I alluded to that last time; that the prosecution has evidence that that woman, that alleged victim, was unemployed during the time period. [25 to page 28, line 5] In fact, this incompetent lawyer right here -- who is my landlady? Who has been stealing sewer from the City of Columbia and wants me killed so she can use my land to keep the sewer lines illegally on it? She testified, "Oh my gosh, you prevented them from going to work. They need to go to work early." [6-7] In fact, she knew that that woman had been fired all the period that they claim I was -- I was preventing her from going to work that she was unemployed. [9-12] *These are objective things because that woman testified in the deposition and in another lawsuit*. What? What? So it's -- it's -- I -- I have filed, and I -- I admit it was piecemeal, as soon as I discovered it. [13-17] So it doesn't come as a coherence tool, but -- but if you please, this may be false economy to not let me speak now because this is going to occupy everybody, the appellate courts, the State, the federal courts, all of it. [18-21] They knowingly presented false evidence, and now Your Honor is the -- as Mr. Strickler said, you are the guardian of justice. The court is a temple of truth. Verdict means tell the truth.

[22-23] **THE COURT**: All right. That's your five minutes. Thank you very much.

[24-25] **DR. FALTAS**: Thank you, Your Honor. One other thing.

[page 29, line 1] **THE COURT**: No, ma'am.

[2] **DR. FALTAS**: Okay.

[3-4] **THE COURT**: That's five minutes. All right. Anything further?

[5] **MS. WEISS**: No, Your Honor.

[6] **MS. PRINGLE**: Nothing further, Your Honor.

[7] **MR. NEWTON**: Thank you, Your Honor.

[8] **THE COURT**: Thank you very much.

[10]

(Whereupon, the proceedings were concluded.)

[page 30, line 1] **CERTIFICATE OF REPORTER**:

[3-4] STATE OF SOUTH CAROLINA COUNTY OF RICHLAND

[7-14] I, Karen Ambroziak, Official Court Reporter for the 5th 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 30th day of August, 2010.

[17] August 9th, 2015

[19-22] Karen Ambroziak, RPR Circuit Court Reporter

