

The South Carolina Court of Appeals

In the Matter of Marie Therese Assa'ad-Faltas, M.D.,
MPH, Appellant.

Appellate Case No. 2016-001730

ORDER

On August 25, 2016, this court directed Appellant to notify this court of her appellate counsel within ten days. We cited to our Supreme Court's order filed on January 30, 2014, in appellate case number 2013-000862, which provided that Appellant's ability to proceed pro se in a criminal matter ends with the service and filing of the notice of appeal.

After further review of Appellant's notice of appeal, this court has discovered that Appellant requested appointed counsel if we did not allow Appellant to proceed pro se. We construe Appellant's request as a motion to appoint counsel.

We note that the underlying order references two Court of General Sessions case numbers. The order, however, does not concern a criminal prosecution or conviction; instead, the order denies Appellant's request for the reimbursement of Appellant's pro se expenses incurred in a prior criminal matter. Because this is not an appeal from a critical stage of a criminal trial and Appellant does not otherwise have a right to appointed counsel, the motion to appoint counsel is denied. *See State v. Sterling*, 377 S.C. 475, 479, 661 S.E.2d 99, 101 (2008) ("The Sixth Amendment right to counsel attaches upon initiation of adversarial judicial proceedings and at all critical stages of a criminal trial." (citing *Michigan v. Jackson*, 475 U.S. 625, 629 (1986))); Rule 608(g), SCACR (providing that counsel should not be appointed for an indigent unless the indigent has a right to appointed counsel under the state or federal constitution, a statute, a court rule, or the case law of this State). Unless Appellant notifies this court that she has obtained counsel within ten days of this order,¹ this appeal will be dismissed.

¹ We are extending the time period set forth in our order of August 25, 2016, for Appellant to obtain counsel.

James E. Seaberg, Jr.
FOR THE COURT

Columbia, South Carolina

cc:
Marie Assa'ad-Faltas
Alan McCrory Wilson, Esquire

FILED
9/16/16 BH