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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

S.C. SUPREME COURT

City of Columbia, South Carolina, *Respondent,*
v.
Marie-Thérèse Assa'ad-Faltas, MD, MPH, *Appellant.*

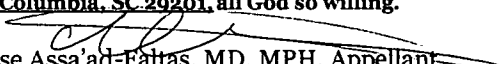
**Supplement to Appellant's First Contingent Motion to Appoint Counsel
for the purpose of rehearing OR to allow her to file her own Petition for Rehearing
In case the decision is adverse to her but current counsel does not wish to seek rehearing
AND to toll the rehearing time until this motion is decided.**

Appellant did not intend or expect her contingency motion (to appoint additional counsel for rehearing, or allow her to proceed *pro se* on rehearing, in the event of a decision of the merits of this appeal adverse to Appellant) to cause this case to be held in abeyance. But since it was, **two intervening events call for this Court's judicial notice and appropriate action:**

1. Appellant discovered, and by exercise of due diligence could not earlier have discovered, the counsel of record for Respondent City of Columbia had left the City's employ and joined the McAngus, Goudelock and Courie law firm which, in a civil action, represented Appellant's false accusers of the charge underlying this appeal and of several others of which Appellant has been fully exonerated. Appellant sought the precise date of Attorney Bruce Henry Greenberg's change of employment but was met by defensiveness and evasion from both Mr. Greenberg and the City, which suggests at least a plausible likelihood that Mr. Greenberg was not in fact an assistant city attorney when he filed Respondent's initial and/or final briefs in this case and/or that he used this case in negotiations for the new employment because his new employer has a vested interest in the affirmance of the false conviction. In the most charitable view of Mr. Greenberg's conduct, he did not timely move to be replaced in this case once he changed employment.
2. In oral argument of *State v. Samuel*, SC Appellate Case 2015-002401, Justice Hearn cogently noted that grant of constitutional right is not reviewed for abuse of discretion. Appellant had often tried to argue, and implored counsel forced on her to argue, that the constitutional right to self-representation can no more be contingent on the trial judge's *ex ante* discretion than the constitutional right to vote can be *ex ante* contingent on the poll worker's discretion. "**Liberty comes not from officials by grace but from the Constitution by right.**" Justice Kennedy dissenting in *Maryland v. Wilson*, 519 U.S. 408 (1997).

WHEREFORE, this Court should take appropriate actions to investigate and punish Mr. Greenberg's possible misrepresentation of his status when he signed Respondent's Brief(s) and strike same briefs as necessary. Otherwise, this Court should allow Appellant to make for herself, or appoint additional counsel for her to make, the necessary arguments her current counsel did not and would not.

Submitted on 3 March 2017 and served by personal delivery of a copy hereof 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.


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