

SEP 19 2017

BEFORE THE SUPREME COURT OF SOUTH CAROLINA

Appellate Case No. 2016-002541

State of South Carolina, and City of Columbia, SC
v. Marie Assa'ad-Faltas, MD, MPH

On Petition for a writ of Habeas Corpus
To the Court of Appeals of South Carolina

Supplement to Dr. Assa'ad-Faltas' Return to Orin Briggs' Motion to be Relieved as Counsel

Jesus answered him, "If I have spoken evil, bear witness of the evil: but if well, why smitest thou me?" John 18:23
Neither cast your pearls before swine, lest they trample them under their feet, and turn again and rend you. Matthew 7:6
And who knows whether you have not come to the kingdom for such a time as this? Esther 4:14

What did (not would) Jesus do when slapped? **He reprovved his slapper.** The other cheek is turned after reprovving oppression even if pearls of reproof trigger rending by swine. Any less would enable the unjust to falsely pretend that their unchallenged tyranny is proper and even necessary.

Dr. Assa'ad-Faltas' Christian loving courage is necessary for such a time as this, when judges whose "duty to curb prosecutorial misconduct is compelling" *State v. Inman*, 720 SE 2d 31, 395 SC 539, 569 (SC 2011), risk catching the tyranny addiction bug from those prosecutors. This Court's integrity (willingness to tell oneself the truth) is its pearl. If that pearl is cast before the swine of hit-and-run falsely accusing the innocent, that swine will trample the Court's pearls and turn to rend this Court with pangs of guilt when it is too late.

Briggs' "Motion to be Relieved as Counsel" whines at p 1 "The client refused to allow me to quote any of the client's misconduct in court," presumably a reference to the falsehoods at pp 3-4 of Opinion 27723:

During Appellant's attendance at a January 2011 oral argument before this Court in a matter to which [she] was not a party, [she] stood and attempted to address the Court to offer her opinion on how the case should be resolved. Additionally, Appellant has pursued and approached individual members of this Court and other Court personnel in non-public areas of the Courthouse, in the Courthouse parking lot, at a hotel in Columbia, and even during a worship service at a local church, all in various attempts to raise legal arguments or discuss pending litigation matters. Her unrelenting efforts to contact and harass individual (current and former) Justices of this Court have resulted in members of this Court recusing themselves from all matters involving [her].

Guided by John 18:23, *supra*, Dr. Faltas promptly asked this Court's clerk for the "January 2011 argument" audio or video tape. Staff initially wanted a lawyer to write for that tape but later claimed it is not extant.

Since only two of Opinion 27723's authors sat in January 2011, how could the others have known what happened then? How did the two who sat in January 2011 recall, **77 months later** without tape, what happened? And if lawyers must make judgments independent of their clients, and jurors are to reach individual verdicts, must not four judges on an appellate panel *a fortiori* do so even "per curiam"?

But a video exists on this Court's own website. *State v. Duncan*, 392 S.C. 404, 709 S.E.2d 662 (SC 2011), is a "class action" case live-streamed to all students unable to travel to Columbia that day. **The tape does NOT show Dr. Faltas "st[anding] and attempt[ing] to address the Court" at all.**

Nor did Dr. Faltas *have* "an opinion on how the case should be resolved" as she did not know the facts. **What she offered this Court ONLY in a correct vehicle of a written proposed amicus related ONLY to the standard of proof required to earn "stand-your-ground" immunity. Immunity from prosecution for taking a human life should be earned with no less than "clear and convincing" proof by the immunity claimant.** A relevant "shocking" chain of submissions and orders is attached hereto. After trampling on Dr. Faltas' pearls of wisdom, this Court unwisely gave an advisory opinion:

had the circuit court held respondent to a stricter standard of proof, such as clear and convincing evidence or even proof beyond a reasonable doubt, [] respondent [would have had] immunity.

Setting a lenient standard was **advisory** (in this Court view, *Duncan's* facts met the strictest standard), **unwise** (instead of prodding SC's Legislature to narrow the statute to prevent rash killings of visitors, it created a flood insane immunity claims) **and inconsistent** with this Court's reluctance to *effectively* enforce double-jeopardy immunity **guaranteed by the Constitution**. Five or more cases on stand-your-ground-immunity faced this Court *after Duncan*, probably because the *Duncan* answer was wrong.

The hereunder-pasted, and certified authentic e-mail chain between Attorney Armand Derfner, who also had a case argued ahead of *State v. Duncan* on 18 January 2011, and Dr. Assa'ad-Faltas, corroborates that she did not disturb any oral arguments that day or ever:

Armand Derfner aderfner@dawlegal.com

Sun 2011-01-23, 11 21 AM

Dear Dr Faltas

I am pleased to continue receiving your e-mails, though I am not on Facebook. Best, Armand Derfner

On Fri, Jan 21, 2011 at 7:58 AM, Marie Faltas <marie_faltas@hotmail.com> wrote

That is very sweet of you. I am Dr., not Ms , Faltas however I do understand that you cannot file anything for me, but I hope you continue to receive my e-mails FYI Also, if you would kindly confirm me as your FaceBook friend, you would be able to see a lot that might be of interest to you as a person of culture and conscience Again, your apology is very sweet and unconditionally accepted. Thanks again for everything and God bless /Marie

Date Thu, 20 Jan 2011 21:23:55 -0500

Subject Fwd: Apology

From: aderfner@dawlegal.com

To marie_faltas@hotmail.com

Dear Ms Faltas:

Here is an e-mail I sent yesterday but apparently I misspelled the e-mail address. I hope you will accept my apology for not seeing or greeting you at the Supreme Court on Tuesday.

Best wishes Armand Derfner

----- Forwarded message -----

From **Armand Derfner** <aderfner@dawlegal.com>

Date: Wed, Jan 19, 2011 at 5 21 AM

Subject Apology

To marie_faltas@hotmail.com

Dear Ms Faltas

I owe you an apology I was told after I left the courtroom that you had come up to say hello I truly did not know you were there, and if I had I would certainly have been delighted to meet you I went back in with Peter Wilborn and asked him to see if you were back in the courtroom but he did not see you Unfortunately, as I have said before, I cannot assist you, but I wish you well in your efforts and if the occasion arises again, I would be pleased to have a chance to say hello

Best wishes, Armand Derfner

Armand Derfner Derfner, Altman & Wilborn

575 King Street, Suite B P O Box 600 Charleston, SC 29402

(t) 843-723-9804 (f) 843-723-7446

The unfairness of this Court's first response to Dr. Faltas' offered *amicus* extends to false insinuations that she invades "non-public areas of the Courthouse." **Dr. Faltas suffered a right knee fracture in 2011 and a left knee fracture in 2013.** To climb *any* stairs, she needs rails on both sides which is impossible in this Court's building's front stairs. ***As reasonable accommodation to her physical disability, she was allowed to use the back ramp, specially when rain makes the front steps slippery.*** Even if that one ramp connects to public areas only through a truly "non-public" area, she was always escorted through it by court security officers who needed to open the back door for her.

Dr. Faltas *lived* in that "hotel in Columbia" ***in the same room for fifty months*** under excessive bond conditions of the false harassment charges from which *this case* arises. She *lived* there until she fully exonerated herself *ably pro se* while this Court remained obstinately refractory to her diligent and scholarly efforts to have the bond conditions modified or lifted. Judges Kittredge and Few *occasionally* stayed there and now-Chief-Justice Beatty *rarely* had meals there. Said three jurists had chance encounters with, and were politely greeted by, Dr. Faltas in that "hotel in Columbia."

Claims that Dr. Faltas' "unrelenting efforts to contact and harass individual (current and former) Justices of this Court have resulted in members of this Court recusing themselves from all matters involving [her]" **are demonstrably false.** The two justices who visited that hotel did NOT recuse themselves for *any* case involving Dr. Faltas. But at least Justice James was never seen in that hotel.

A jurist recused from a case must not communicate about same case with any jurist hearing it; otherwise, all prejudice that would have resulted from that jurist's participation will be achieved through secret communications. ***Ipsa facto*, Opinion 27723's authors could not properly have known any or all reasons for other jurists' recusal unless the latter published them.**

Justice James, who ascended to this Court in February 2017 after having served as a circuit judge for eleven years, apparently recused himself from cases involving Dr. Assa'ad-Faltas before this Court for obvious reasons which, though undeclared, are none of her fault. In July 2009, then-Circuit-James was scheduled to hear motions in *the civil* case Dr. Assa'ad-Faltas had, in March 2009, brought against her false accuser in the assault case; and on 17 December 2009 and 7 January 2010, then-Circuit-Judge James heard motions in *this very case* at the trial court level. And on 15 November 2011, Dr. Assa'ad-Faltas testified before SC's Judicial Merit Selection Commission considering then-Circuit-Judge James' reelection. This excerpt from the hearing transcript is self-explanatory:

[page 45, line 8] **PROFESSOR FREEMAN:** Okay.

[9-18] **DR. FALTAS:** So the second housekeeping matter is that I not really -- I didn't file in opposition of the can -- candidacy of The Honorable Judge James, and my affidavit was that I do not wish him disqualified. I wish that this be an opportunity for His Honor and for this committee to examine the collective conscience to see how it could happen that someone could have objective evidence that perjury was committed in the court that is supposed to be a temple of truth and nothing be done about it for so long.

The full transcript of then-Circuit-Judge James' response and of Dr. Assa'ad-Faltas' testimony that day both *for* Judge James and *against* the candidacy of John Meadors is available on the Commission's page.

Now-retired-Chief-Justices Pleicones and Toal never ever recused themselves from any case of Dr. Faltas'. Then Chief-Justice Pleicones signed orders in 2015-000941 and *in this case*. Now-active-senior-judge Toal wrote that there is noting improper in Dr. Faltas' greeting a jurist she encounters by chance. *Vide* attachments. And when asked to respond to Dr. Faltas, here is what Jurist Pleicones testified:

[page 86, lines 14-15] **SENATOR MARTIN:** Thank you very much. Justice? You may respond.

[16 to page 86, line 4] **JUSTICE PLEICONES** [16-25] Well, just very briefly, Mr. Chairman. I begin by expressing my regret that any litigant in our system feels victimized by the system or discriminated against for any reason. I see the essence of Dr. Faltas' complaint against me and the other members of the Court essentially is that I am intentionally anti-immigrant, xenophobic and inconsistent with my application of the law regarding self-representation. [page 85, lines 1-33] Dr. Faltas is an incredibly intelligent person, there is no question about that, and she genuinely believes everything that she has testified to. I have enormous respect for her gifts, her intelligence and her education. I do -- I hope I'm not the only one here who detects the irony in a charge levelled against the son -- the grandson of four Greek immigrants, two of whom left Asia Minor about a hundred years ago to escape religious and ethnic persecution under the Ottoman Empire and all four of whom sought a better life and found it in South Carolina and Greenville and Charleston respectively. [14-19] I guess I deny categorically the allegations against me. And as far as foreigners, anti-foreigner, as Dr. Faltas pointed out she's come to our orthodox communion and I go to church every Sunday and the services are conducted half in Greek. A lot of foreigners in that service. [20-25] And the only other thing I'll say, and the lawyers here probably may understand this a bit better and I don't mean to say that the rest of you don't, but the Faretta right to self-representation is not absolute and is subject to certain restrictions [page 86, lines 1-4]. And I guess the other thing I would do is just stand on my 24-year until now unquestioned record of fairness as a member of the Judiciary, and you may wish to consider that in juxtaposition to Dr. Faltas' complaint.

There is no more complaint of harassment in that than there is evidence of Dr. Assa'ad-Faltas' "standing and attempting to address the Court" during someone else's oral argument on that argument tape.

So, Justice James recused himself only because he had, at the trial court level, heard Dr. Faltas' case which is now before this Court for review. Justice Pleicones did not complain of Dr. Faltas' sharing the "orthodox communion" where the jurist goes "every Sunday. And now-Chief-Justice Beatty recused due to a history of conflict (unrelated to Dr. Faltas) with Lupton, the lawyer forced on Dr. Faltas. Therefore, **NOTHING in Opinion 27723's pages 3-4 is true or reasonable.**

To state Dr. Faltas' inner intents and what her defense would have been had she advocated *pro se* against the assault charge, Opinion 27723's authors must be clairvoyant or secure in a delusion that no one will ever have the courage and common sense to challenge their illogic. Had they been really clairvoyant, they would have known they will be debunked by someone someday.

Equally and objectively demonstrably untrue is Opinion 27723's page 5:

Subsequently, this Court received reports that Appellant thereafter attended circuit court proceedings in which she was not involved and disruptively held up placards in an attempt to convey her objections to the proceedings.

In an effort to restrict Appellant from engaging in such inappropriate conduct, this Court issued an order on December 23, 2009, prohibiting Appellant from filing anything with this Court unless it is signed and filed by an attorney.

As the falsity of the pretense that Dr Faltas disrupted an oral argument is exposed *by the video of that very oral argument*, the falsity of the pretense that Dr. Faltas held up "placards" to object to "proceeding in which she was not involved" is exposed by *what she actually held: one letter-size page (attached) with one sentence printed in large type: "I respectfully rest on the pleadings, record, and all other matters of which this Court may properly take judicial notice."* She prepared it for a 16 September 2011 hearing which Judge Barber insisted on calling in Dr. Faltas' cases. She held it up *only* when asked a question *and only to avoid being accused of loudness*.

False too are pretenses that the 23 December 2009 order bars Dr. Faltas "from filing *anything* with this Court." ***Can't this Court even read its own orders correctly?*** The first prohibition against submission to this Court by Dr. Faltas *pro se* was limited to applications for extra-ordinary writs.

How can a 23 December 2009 order "restrict" "reports" of "placards" on 16 September 2011?

This Court adjudicated not only by fantasized clairvoyance, standing all common sense on its head, but by fabrications of its own rivaling those of Dr. Assa'ad-Faltas' false accusers in the trial courts.

Dr. Assa'ad-Faltas' only consolation, if consolation it is, is that Opinion 27723 is clearly not written by judges sworn to uphold the Constitution and judicial ethics but by staff counsel whose likely spouses, siblings, parents and/or first cousins are employees of, or seek employment with, Dr. Assa'ad-Faltas' prosecutors in the criminal cases and opponents in the civil cases or their lawyers.

Opinion 27723's authors must be indifferent to the propriety of a jurist sitting on a case brought against his first cousin and attacking the plaintiff against who brought that case. **Proof is at p 3:**

Over the last twenty years, Appellant has engaged in a pattern of vexatious and disruptive conduct aimed at courts throughout South Carolina and beyond. *See, e.g., Assa'ad-Faltas v. Carter*, No. 1:14CV678, 2014 WL 4566037, at *4-5, *9 (M.D.N.C. Sept. 15, 2014) (listing numerous judicial decisions which "show that [Appellant] repeatedly has abused the litigation process[,] both in state and federal courts" and finding the specific claims before that court to be "legally frivolous and malicious"). Since 1997, Appellant has been involved in fifty-two matters before this Court and twenty-one matters before the court of appeals, the vast majority of which Appellant has initiated and which have been found to be without merit or frivolous.

Rather than quote U.S. Magistrate Judge Auld (who had unabashedly ruled for his first cousin, Columbia Police Sergeant and key defendant Auld), this Court should have focussed to the complete extracted and highlighted transcript of the testimony of Angela Ladson, ministerial recorder to the City of Columbia, which transcript was attached to the complaint v. Carter et al.

Ladson is called a "warrant clerk" by police officers and serves at the pleasure of City Counsel. ***Who ever heard of a judge who can be fired at will?*** Ladson did not know that an informant is one who gives any police officer information about events not personally observed by that officer, had not denied *any* search warrant in three years as a "judge" and insited a warrant application "doesn't need to say anything about reliability." Yet, SC Circuit Judge Newman accepted Ladson as "a neutral and detached magistrate." Alas, all that may not bother adjudicators fixated on counting the times Dr. Faltas entered a public building in eight years, **not the times she was falsely arrested.**

As to counting, all matters which brought Dr. Assa'ad-Faltas before this Court were initiated by others: a landlord initiating an eviction, a colleague's failed efforts to sabotage Dr. Faltas' medical license, and prosecutors' failed efforts to *falsely* frame Dr. Faltas for various crimes.

It is also demonstrably false that Dr. Faltas was “involved in fifty-two matters before this Court and twenty-one matters before the court of appeals, the vast majority of which Appellant has initiated and which have been found to be without merit or frivolous.” **The truth is, since December 2009, Dr. Faltas initiated NOTHING in this Court or the Court of Appeals that was not related to her 2 December 2009 false arrest on two counts of harassment in the first degree and subsequent arrests on other equally false criminal charges brought only to wear her down and thwart her till-then successful civil litigation in Circuit Court against her false accusers.**

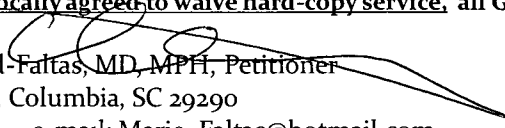
Most significantly, Dr. Assa’ad-Faltas had WON (by favorable settlements) ALL FOUR civil controversies *she had initiated and litigated in circuit and magistrate courts pro se.*

Opinion 27723 did not count different cases but different motions in the same case. Dr. Assa’ad-Faltas WON the Court of Appeals’ case she orally argued *pro se.* There, SC’s Court of Appeals REVERSED Judge Cooper, who authored the 31 March 2010 order, quoted at length by Opinion 27723, even after it was RESCINDED AND CANCELLED by Judge Lee. (Attachment)

It gives Dr. Assa’ad-Faltas no joy to state that the *objectively* demonstrable prejudice of Opinion 27723’ authors ends any hope of fairness from same authors in this case. Further, five jurists must vote on the ultimate decision to grant or deny *certiorari* in this case because the odds of getting three votes out of five are substantially better than getting three out of three, specially if those three are among the four real or nominal authors of Opinion 27723.

A substitute supreme court should be convened to hear from Dr. Assa’ad-Faltas *pro se*, to restore her rights, and to remedy her injuries because Opinion 27723’s authors have lost credibility.

Submitted on 19 September 2017 and served by personal delivery of a copy hereof to the office of SC’s Attorney General and by e-mail on Orin Briggs, who unequivocally agreed to waive hard-copy service, all God so willing.


Marie-Thérèse Assa’ad-Faltas, MD, MPH, Petitioner
P.O. Box 9115, Columbia, SC 29290
Phone: (803) 783 -4536 e-mail: Marie_Faltas@hotmail.com

RECEIVED

SEP 19 2017

S.C. SUPREME COURT

RECEIVED

JAN 21 2011

BEFORE THE SUPREME COURT OF SOUTH CAROLINA

The State of South Carolina

Appellant

S.C. SUPREME COURT

v.

Gregory Kirk Duncan

Respondent

**HUMBLE AND RESPECTFUL CONTRIBUTION IN THE NATURE OF A LETTER TO THE COURT
IN THE HOPE OF ASSISTING ITS HONOR IN DECIDING A DIFFICULT CASE**

Having gratefully observed oral arguments before this Court, Marie Assa'ad-Faltas, MD, MPH, a South Carolina resident with legal talents and research, humbly submits suggested answers to questions she observed the Court conscientiously explore. She advises the Court that she gave her suggestions to the attorney for the State, who listened but declined to write to the Court. Dr. Assa'ad-Faltas then had a chance encounter with the Honorable Justice Beatty, who kindly assured her His Honor recalls her oral argument before SC's Court of Appeals and indicated a submission of this nature may be appropriate.

The threshold is the Honorable Justice Pleicones' concern about width of a statute (to be balanced against the Court's duty to give effect to the Legislature's intent to immunize a person who exercises the defense of habitat) joined to the Chief Justice's search for the standard of proof needed to enjoy that immunity.

The burden is suggested to be on the defendant to show by "clear and convincing evidence," not merely preponderance of the evidence, that he is entitled to the immunity afforded by the statute. It need be higher than mere preponderance to prevent wanton taking of lives under pretext of defense of habitat.

"Clear and convincing" is how *Addington v. Texas*, 441 U.S. 418 (1979), balanced the individual's right to privacy and liberty against Society's interest in protecting the public from harmful activities by mentally-dangerous persons. It is proper and necessary in this case to simultaneously protect lives and "castles."

The Honorable Chief Justice and Justice Kittredge asked how to effect the statute's intent of providing immunity from prosecution, not merely affirmative defenses. The obstacles are statutory (prosecutors control the criminal docket) and case-law-made (criminal defendants may not appeal until sentenced). Both are unique to this State but soluble by case law analogous to federal "qualified immunity" law.

A criminal defendant who intends to invoke this immunity should be entitled to assert it at or before the preliminary hearing; *i.e.*, within ten days of the arrest or even during the bond hearing. **But a denial or grant of dismissal based on defense-of-habitat immunity must be immediately appealable as is denial of summary judgment based on a claim of qualified immunity in civil federal cases.** Judicial dismissal under that procedure would have occurred before jeopardy attached and may be appealable by the Prosecution. Able counsel on both sides adequately addressed the standard of review on appeal.

Dr. Assa'ad-Faltas, however, prays the Court to also allow such procedure for claims of *autrefois acquit* and *autrefois convict* because the Double Jeopardy Clauses of the U.S. and South Carolina Constitutions are also intended as **immunity** from being haled into court again, not merely as affirmative defenses.

Respectfully submitted and served on the Attorney General and Office of Appellate Defense by hand-delivery to their respective offices on 21 January 2011.


Marie Assa'ad-Faltas, MD, MPH, Contributor *pro se*

304 Byron Road, Apt. #3, Columbia, SC 29209 (presently unavailable)

P.O. Box 9115, Columbia, SC 29290 (please use until further notice)

Phone and on-demand fax: (803) 783-4536 (presently unavailable)

Cell Phone: (330) 232 - 4164 (Please use until further notice)

e-mail: Marie_Faltas@hotmail.com

The Supreme Court of South Carolina

The State,

Appellant,

v.

Gregory Kirk Duncan,

Respondent.

ORDER

Marie Assa'ad-Faltas, MD, MPH, has filed a document in this case entitled "Humble and Respectful Contribution in the Nature of a Letter to the Court in the Hope of Assisting its Honor in Deciding a Difficult Case." Therein, Dr. Assa'ad-Faltas, who observed oral arguments in this case, seeks to "suggest[] answers" to issues that were discussed by the parties and this Court during oral argument.

On December 23, 2009, this Court issued an order limiting Dr. Assa'ad-Faltas' ability to file documents with this Court. That order was based on Dr. Assa'ad-Faltas' history of complete disregard of proper judicial procedures, which constitutes an abuse of the judicial process and results in a waste of judicial resources. Dr. Assa'ad-Faltas' filing in the above-captioned case is yet another example of Dr. Assa'ad-Faltas' complete misunderstanding

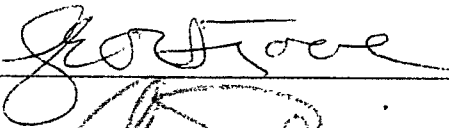
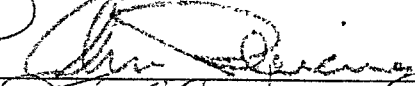
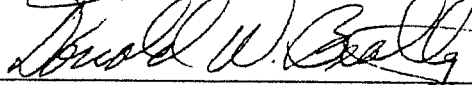
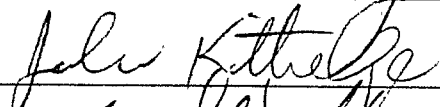
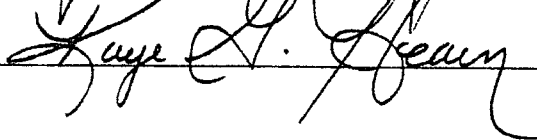
and disregard for the judicial process. Dr. Assa'ad-Faltas' attempt to "weigh in" on a decision in this case is prohibited by the rules of this Court, is completely inappropriate, and quite frankly, shocking. We can only imagine the reaction of Dr. Assa'ad-Faltas if this Court allowed a random third party to weigh in on one of the many actions she has filed in this Court.

Accordingly, Dr. Assa'ad-Faltas' request to suggest answers to the issues in this case is DENIED.

Moreover, we take this opportunity to address other instances of inappropriate contact Dr. Assa'ad-Faltas has had with members of this Court. Dr. Assa'ad-Faltas has on several occasions approached a member of this Court while the member was engaged in purely personal activities unrelated to the performance of any official duties. For instance, in the document she has filed in the above-captioned case, she states she "had a chance encounter with the Honorable Justice Beatty." All of these contacts were made in an apparent attempt to discuss matters that she either has filed or is considering filing with this Court. This conduct is also prohibited by the rules of this Court and completely inappropriate. Accordingly, we hereby prohibit Dr. Assa'ad-Faltas from directly contacting any member of this Court. This includes, but is not limited to, contact made in person, by phone or in writing.

Any communications that she wishes to make to this Court or to any member of this Court should be submitted in writing to the Clerk of the Supreme Court of South Carolina. Any violation of the prohibition contained in this order may be punished as contempt of this Court.

IT IS SO ORDERED.

	C. J.
	J.
	J.
	J.
	J.

Columbia, South Carolina

February 3, 2011

cc: Ms. Marie Assaad Faltas
Chief Appellate Defender Robert M. Dudek
Senior Assistant Attorney General
S. Creighton Waters
Solicitor Robert Mills Ariail

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BEFORE THE SUPREME COURT OF SOUTH CAROLINA

FEB 04 2011

The State of South Carolina

Appellant

v.

Gregory Kirk Duncan

Respondent

S.C. SUPREME COURT

**MOTION FOR THE COURT TO RECONSIDER ITS DENIAL OF Dr. Assa'ad-Faltas' Amicus Brief
AND TO RECONSIDER ITS INCORRECT AND UNFAIR DESCRIPTION OF HER**

Marie Assa'ad-Faltas, MD, MPH, respects the law's civilizing effect too much to let some members of South Carolina's current Supreme Court's false impression of her deprive the law of her contributions.

Contrary to the Court's statement at ORDER p2, Dr Assa'ad-Faltas understands the U.S. Constitution and various judicial systems well. She understands that the excellent Mr. Dudek's mission in the above-captioned case is to get his client acquitted while Mr. Waters' mission is to get the defendant convicted.

But members of the public, specially absolute pacifists like Dr. Assa'ad-Faltas, have a compelling interest in a new statute not being interpreted so leniently as to give blanket immunity for the taking of innocent lives under false pretext of defense of one's "castle." She also understands that this Court must not only elicit the intent of the legislature but also interpret statutes consistently with public safety and order.

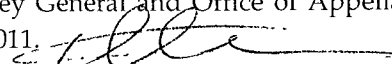
Nor should the Court "imagine Dr. Assa'ad-Faltas' reaction" to *amicus* in her cases. She solicited them or asked courts to invite them. A further answer may be derived from this case having been scheduled to be observed live by high-school students who were unable to attend. Would this Court have been "shocked" if one young student had been present and asked the Court in post-argument ask-the-Court: "Why not use the clear and convincing standard?" Seriously, would this Court have been "shocked" or marveled at such young student At those students' age, Dr. Assa'ad-Faltas discussed with her late God-father legal issues from *Code Napoleon* to "*vice de forme*" elements to Makran Ebeid's impeachment trial techniques.

Dr. Assa'ad-Faltas' Coptic Orthodox heritage and exquisite education make her far from a "random" person and compel her to greet every judge/Justice she knows and sees in public. Failure to do so would have been rude and disrespectful. This Court ascribing wrong motives to **totally *impromptu* encounters is unfair**. Nor did she *ever* discuss the substance of any case *ex parte*. In the most recent encounter she asked the Honorable Justice Beatty only if His Honor remembers her and if she may write the Court a letter. **NOTHING** about the substance of that letter was discussed with His Honor or any other judicial officer.

Further, Dr. Assa'ad-Faltas always filed her submissions with this Court's Clerk although its rules **do** allow for certain relief to be granted by one Justice. Dr. Assa'ad-Faltas has no problem following the rules. **But** she does not lack courage to assert that the rules are applied unequally to her, *e g*, **many of her applications were either not transmitted to the Court at all or pretermitted by the Chief Justice alone**.

Dr. Assa'ad-Faltas thus prays the Court to look at the quality of her advocacy, not the initials behind her name ("MD, MPH," not "JD"), to appreciate the unique-perspective she brings as a scientist who loves the law, to consider the "clear and convincing" standard for immunity the taking of a life, to provide procedure for immediate appeal of denials of constitutional or statutory immunities, and to reconsider its false impression of her. Egypt is not a random country, and her daughters are not random persons.

Respectfully submitted and served on the Attorney General and Office of Appellate Defense by hand-delivery to their respective offices on 4 February 2011.


Marie Assa'ad-Faltas, MD, MPH, Contributor pro se
304 Byron Road, Apt #3, Columbia, SC 29209 (presently unavailable)
P.O. Box 9115, Columbia, SC 29290 (please use until further notice)
Phone and on-demand fax (803) 783-4536 (presently unavailable)
Cell Phone: (330) 232 - 4164 (Please use until further notice)
e-mail: Marie_Faltas@hotmail.com

The Supreme Court of South Carolina

The City of Columbia, Respondent,

v.

Marie Assa'ad-Faltas, MD,
MPH, Appellant.

Richland County
Trial Court Case No. 2010-CP-40-0339
2010-CP-40-07063
2010-CP-40-07629
2010-CP-40-8650
2010-GS-40-11980

ORDER

The South Carolina Court of Appeals dismissed this appeal and the appellant has filed a motion for a rehearing en banc. This appeal is hereby certified for review by this Court, and the motion for rehearing will be considered by this Court.

IT IS SO ORDERED.


C.J.
FOR THE COURT

Columbia, South Carolina

March 11, 2011

cc: Maire Assa'ad-Faltas, MD, MPH
Assistant Attorney General Salley W. Elliott
The Honorable Tanya Gee

The Supreme Court of South Carolina

The State,

Appellant,

v.

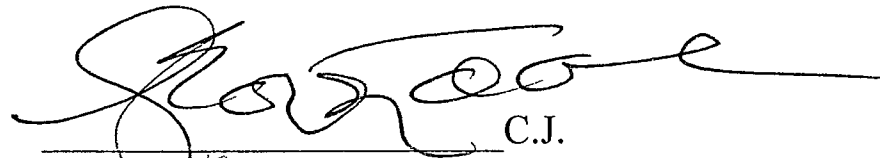
Gregory Kirk Duncan,


Respondent.

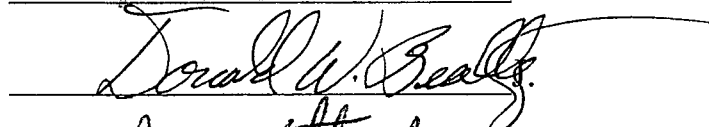
The Honorable Edward W. Miller
Greenville County
Trial Court Case No. 2007-GS-23-05016

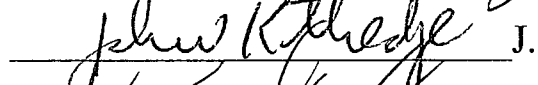
ORDER

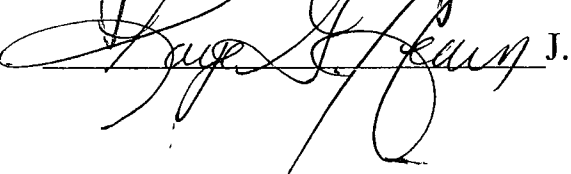
While the Court appreciates Dr. Faltas' good faith attempt to opine on a legal matter pending before the Court, she misapprehends the nature and purpose of an Amicus Curiae brief. The Motion for Reconsideration is respectfully denied.


C.J.


J.


J.

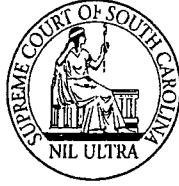

J.


J.

Columbia, South Carolina

April 7, 2011

cc: Marie Assa'ad-Faltas, MD, MPH, Contributor *pro se*
Assistant Deputy Attorney General Donald J. Zelenka
Senior Assistant Attorney General S. Creighton Waters
The Honorable Robert Mills Arianil
Chief Appellate Defender Robert M. Dudek



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE (803) 734-1080
FAX (803) 734-1499

May 18, 2011

Orin Gail Briggs, Esquire
Orin Briggs, PA
P.O. Box 85085
Lexington, SC 29073-0022

Dear Mr. Briggs:

Enclosed is an affidavit and tape that your client, Dr. Marie Assa'ad Flatas brought to this Court yesterday. In a conversation with a member of my staff yesterday, you indicated that you had not seen either of these items, and that you did not feel that they were necessary for a decision regarding your petition of May 13, 2011.

Therefore, I have not accepted them for filing and I am forwarding them to you as her counsel. Miller v. State, 388 S.C. 347, 697 S.E.2d 527 (2010) ("Since there is no right to 'hybrid representation' that is partially pro se and partially by counsel, substantive documents, with the exception of motions to relieve counsel, filed pro se by a person represented by counsel are not to be accepted unless submitted by counsel. [citations omitted]."); cf. Jones v. State, 348 S.C. 13, 558 S.E.2d 517 (2002) ("While counsel may choose to submit arguments urged by his client, counsel has an obligation to review those arguments for possible relevance and merit before submitting them. In other words, counsel cannot serve as a mere conduit for *pro se* documents in an effort to avoid the prohibition against hybrid representation and the displeasure of his client.").

Sincerely,

Daniel E. Shearouse

Enclosures

● ●

**I respectfully rest
on the pleadings,
record, and all
other matters of
which this Court
may properly take
judicial notice.**

The Supreme Court of South Carolina

In the Matter of Dr. Marie Assa'ad-Faltas.

ORDER

Under my authority as the administrative head of the South Carolina Unified Judicial System, I have issued previous orders regarding the handling of cases involving Marie Assa'ad Faltas by the courts of this state. It has come to my attention that Dr. Faltas has several matters pending in the Columbia Municipal Court and that the Honorable Carl L. Solomon is the only judge on that court who is not recused in matters in which Dr. Faltas is involved. Judge Solomon is hereby directed to schedule all pending matters involving Dr. Faltas for an immediate hearing, with no extensions of time to be granted except as reasonably necessary for Dr. Faltas' counsel to complete preparations or upon a showing of extraordinary circumstances. Judge Solomon shall see that these matters are brought to an expedient and final conclusion. To this end, Judge Solomon shall provide status reports to this office every thirty days from the date of this order until all pending litigation involving Dr. Faltas has been resolved.



JEAN HOEFER TOAL
CHIEF JUSTICE

Columbia, South Carolina
March 7, 2013

cc: The Honorable James R. Barber, III
The Honorable Carl L. Solomon
The Honorable Dana D. Turner
Dr. Marie Assa'ad-Faltas

The Supreme Court of South Carolina

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

ORDER

Respondent asserts that she is indigent and asks this Court to appoint counsel to represent her for the purpose of filing a petition for rehearing in this matter. The request is granted and Tristan Michael Shaffer, Esquire, of Lexington, South Carolina, is hereby appointed to represent respondent for the limited purpose of filing a petition for rehearing regarding this Court's order of June 28, 2013.

Any contacts between the respondent and Mr. Shaffer shall be subject to the restrictions contained in Judge L. Casey Manning's order of June 5, 2013, issued in 2013-CP-40-3522 and -3525. A copy of this order is enclosed.

Further, to allow Mr. Shaffer time to prepare the petition for rehearing, the time to serve and file any petition for rehearing under Rule 221 of the South Carolina Appellate Court Rules is hereby extended until August 6, 2013. Any petition for rehearing must be actually received by this Court on or before that date. Further, since this matter started as a criminal contempt proceeding, a copy of the petition for rehearing shall be served on the Office of the Attorney General.

Respondent is reminded that the restrictions contained in this Court's order of June 28, 2013, are currently in effect.


C.J.
FOR THE COURT

Columbia, South Carolina
July 22, 2013

Enclosure

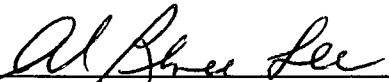
cc: Office of the Attorney General
Tristan Michael Shaffer, Esquire
Dr. Marie Assa'ad-Faltas

ability to contact judges and their staff. Rescinding the Richland County Order will not affect the Supreme Court Order dated January 30, 2014 that restricts her ability to contact various court personnel. The Supreme Court Order supersedes any Order issued by this Court. However, rescinding the Richland County Order will allow Dr. Faltas the ability to enter the Richland County Courthouse to conduct any official business without fear of arrest.

Dr. Faltas raises other reasons to rescind the Order which need not be addressed in this Order as the relief requested by Dr. Faltas is granted. Nothing in this order shall be construed as precluding the issuance of additional restrictions on Dr. Faltas if, after appropriate notice and hearing, it is determined that she has engaged in frivolous, disruptive or inappropriate conduct or filings.

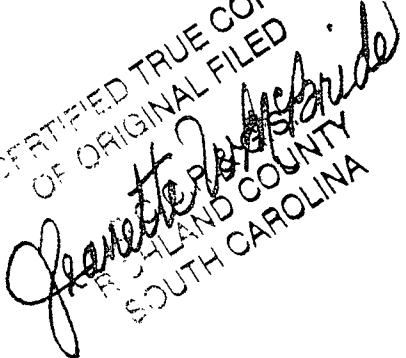
Therefore, **IT IS HEREBY ORDERED** that the ORDER issued on March 31, 2010 is rescinded and hereby cancelled.

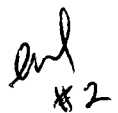
AND IT IS SO ORDERED.


ALISON RENEE LEE
Chief Administrative Judge for Common Pleas
Fifth Judicial Circuit

June 23, 2016
Columbia, South Carolina

CC: Marie Therese Assa'ad Faltas, MD., MPH
Daniel Johnson, Solicitor
The Honorable Jeanette McBride
The Honorable G. Thomas Cooper
The Honorable Clifton Newman
The Honorable DeAndrea Benjamin
The Honorable R. Knox McMahon

CERTIFIED TRUE COPY
OF ORIGINAL FILED

JEANETTE MCBRIDE
RICHLAND COUNTY
SOUTH CAROLINA


#2

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

CASE NUMBER:

IN THE MATTER OF MARIE THERESA ASSA' AD-
FALTAS, MD., MPH

BOOK 30 PAGE 124

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other _____

NOTE ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge _____ Judge Code _____ Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 21 day of July, 2016 to attorneys of record or to parties (when appearing pro se) as follows:

Marie Therese Assa' Ad-Faltas,
MD., MPH,

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court

Jeanette W. McBride

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE MATTER OF MARIE)
THERESE ASSA'AD-FALTAS, MD.,)
MPH,)

Petitioner.)

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

ORDER

2016 JUL 21 PM 4:40
JENNIFER W. HENRIDGE
C.C.P. & G.S.
RICHLAND COUNTY
FILED

This matter comes before the Court on Petitioner's Motion, pursuant to Rule 59(e), SCRCPP, to Amend/Clarify the Court's Order, dated June 23, 2016 ("Order"), which rescinded a prior court order that had restricted Petitioner's access to the Richland County Courthouse during certain times. In Petitioner's Motion, she asserts that the Richland County Clerk of Court's Office ("Clerk's Office") did not mail Petitioner a copy of the Order until July 6, 2016, and thus, most likely misread the Court's "reference to SC's Supreme Court's orders as a ban on the Clerk serving [Petitioner] with any and all papers related to her cases." Accordingly, Petitioner asks the Court to clarify its Order to ensure that the Clerk's Office is aware that the Order does not prohibit it from "serving [Petitioner] with any and all papers related to her cases."

In its Order, the Court referenced three Supreme Court Orders, dated January 30, 2014, January 7, 2016, and March 28, 2016. The January 30, 2014, Order restated restrictions that were already in place concerning Petitioner's ability to appear *pro se*, make *pro se* filings, and contact judges and other court personnel. The January 7, 2016, Order and the March 28, 2016, Order directed the Clerk's Office to allow Petitioner to file a motion for the appointment of counsel to represent her in a potential PCR action. These Supreme Court Orders do not prohibit the Clerk's Office from mailing documents to Petitioner. Accordingly, there is no need for this Court to clarify its Order on this ground.


Petitioner also requests that "orders not bearing a specific case number [be] booked and paged so that a formal record of them" may be accessed by the public. It appears that the copy of the Order that Petitioner received was not stamped with a Book and Page number. The Order, however, has been filed in Miscellaneous Book 30, Page 122, in the Clerk's Office. Most orders that are filed at the Clerk's Office include case numbers that correlate with their respective cases. These orders are filed electronically in the Clerk's Office's Case Management System ("CMS"), which can be accessed by the public using computers at the Clerk's Office. Some orders,

and #1

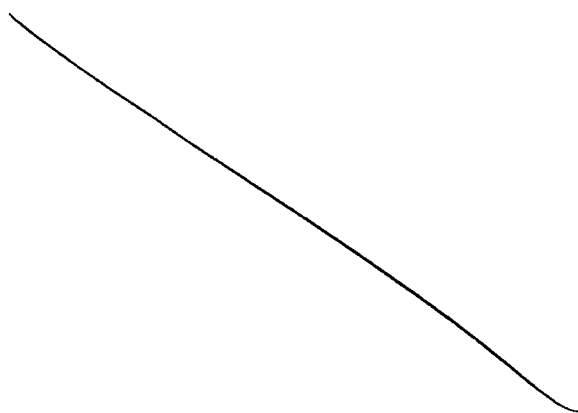
however, are more general and do not relate to any case specifically, and thus, do not have a case number. These orders are filed in hard copy format in "Miscellaneous Books" that can be accessed by the public at the Clerk's Office. The Order in this matter related to Petitioner's access to the Richland County Courthouse generally and did not relate to a specific case. Accordingly, the Clerk's Office filed the Order in Miscellaneous Books.

In light of the aforementioned, this Court hereby **DENIES** Petitioner's Motion to Amend/Clarify the Order.¹ Pursuant to Rule 59(f), the Court is of the opinion that oral argument is not necessary.

AND IT IS SO ORDERED.



ALISON RENEE LEE
Fifth Judicial Circuit

July 21, 2016
Columbia, South Carolina



¹ Petitioner also raises other grounds for reconsideration of the Order. After careful consideration of these other grounds and the record in this matter, this Court is unable to discover any material fact or principle of law that either has been overlooked or disregarded and further finds no error of law or facts not appropriately considered.

and #2

RECEIVED
JUL 1 2 2016
BY: 

BOOK 30 PAGE 127

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE UNIFIED COURT SYSTEM
In Re: Marie Assa'ad-Faltas, MD, MPH

Timely Motion to Amend/Clarify 23 June 2016 ORDER
And to Cause it to be Booked and Paged
so that a formal record of it may be easily accessible to all concerned

Marie Assa'ad-Faltas, MD, MPH, did not receive the 23 June 2016 ORDER until she went to the court-house and was given a copy on 5 July 2016. A copy of that ORDER was not mailed to Dr. Assa'ad-Faltas by the Clerk (or anyone else apparently) until 6 July 2016 as evidenced by the attached envelope copy.

This motion is therefore timely. It is also served on the Honorable Judge Lee and on all other entities identified as copied with the 23 June 2016 ORDER by causing the Clerk to place it in the respective mail slot for each respective entity. It is also served on Judge Newman, *filie*, and on Judge Manning.

Dr. Assa'ad-Faltas knows she cannot *be* anyone else's conscience but has a duty to *prod* all consciences.

The clarification part arises from the Clerk's office *likely* misreading Judge Lee's reference to SC's Supreme Court's orders as a ban on the Clerk serving Assa'ad-Faltas with any and all papers related to her cases. Judge Lee is therefore asked to clarify that nothing in any order thwarts Assa'ad-Faltas' access to public records, hers or others'. Otherwise, orders not bearing a specific case number should be booked and paged so that a formal record of them may be easily accessible to all concerned and to the public.

The modification part addresses solely an error in reciting a *procedural fact*: the only two General Sessions charges *ever* brought against Assa'ad-Faltas were NOT "remanded to municipal court *or* have been dismissed," they were remanded to municipal court **and** dismissed. The 23 June 2016 ORDER may be erroneously read to suggest that some criminal charges are still pending upon remand to municipal court.

The other issues raised by Dr. Assa'ad-Faltas in the 7 June 2016 *may* have not been *necessary* for Judge Lee to grant the *narrow* relief of rescission of the 31 March 2010 "Richland County Order" but they are necessary for the future of justice in this Court. At least now-SC-Circuit Judge DeAndrea Benjamin and Columbia City Manager Teresa Wilson started their careers as law clerks to Judge Manning. Judge Manning also presided over the August 2009 two-day jury trial of *Ingram v. Triffon*. To Judge Manning as a *quasi* father to Judge Benjamin and Manager Wilson, and to Judge Newman, *père*, Dr. Assa'ad-Faltas shares that her father always said that a true parent wants the children to *be better* than him/herself, **not have more, not be more powerful, but be better**; that includes *be* more courageous and compassionate.

WHEREFORE, in addition to the Rule 59(e) relief this timely motion seeks, Dr. Assa'ad-Faltas seeks a hearing by all the entities served to examine how the system failed Dr. Assa'ad-Faltas and failed to rehabilitate convicted felon Teresa Ingram, who went on to commit at least 353 perjuries against Dr. Assa'ad-Faltas in a failed attempt to frame her for harassment. The state of the world leaves no room for sins of omission which are, in Dr. Assa'ad-Faltas' conscience, as reprehensible as sins of commission.

Submitted and served through the Clerk on all concerned entities on 15 July 2016.

Marie-Thérèse Assa'ad-Faltas, MD, MPH, movant *pro se*
P.O. Box 9115, Columbia, SC 29290
Phone: (803) 783-4536 e-mail: Marie_Faltas@hotmail.com

Jeanette W. McBride
CLERK OF COURT
RICHLAND COUNTY
P.O. Box 2766
Columbia, SC 29202-2766

Return to sender if not
delivered in five (5) days.

Marie Faltus
P.O. Box 9115
Columbia SC 29290

583906625 182 FMIRNMB 29290

Presort
First Class Mail
CombAsPrice



U.S. POSTAGE PITNEY BOWES



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0001375672 JUL 06 2016



BOOK 30 PAGE 128

The Supreme Court of South Carolina

City of Columbia, Respondent,

v.

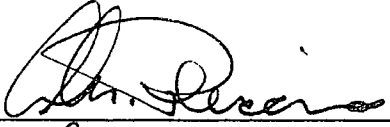
Marie-Therese Assa'ad-Faltas, Appellant.

Appellate Case No. 2015-000941

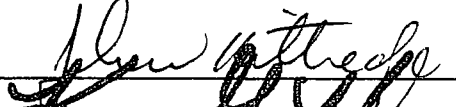
ORDER

Appellant has filed a document entitled "Appellant's Second and Final Motion and Brief to Relieve Attorney John Strom as Counsel for Cause AND Marie-Therese Assa'ad-Faltas, MD, MPH's Consent for Attorney Strom to File an *Amicus* Brief Urging Reversal *So Long as Such Brief Does NOT Bind Appellant.*" All relief requested in the document is denied.

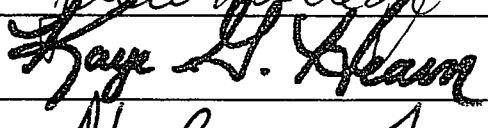
Respondent shall serve and file its initial brief and designation of matter to be included in the record on appeal within thirty days of the date of this order.




C.J.



J.



J.



J.

Beatty, J., not participating

Columbia, South Carolina

August 4, 2016

The Supreme Court of South Carolina

City of Columbia, Respondent,

v.

Marie-Therese Assa'ad-Faltas, Appellant.

Appellate Case No. 2015-000941

ORDER

Appellant has filed a *pro se* motion entitled "Appellant's Third Motion and Brief to Relieve Attorney John Strom as Counsel for Cause AND Strike Everything He Filed in Appellant's Name EVEN IF IT MEANS DISMISSING THIS APPEAL." Pursuant to order of this Court dated January 30, 2014, appellant may not proceed *pro se* in any court of this State except in the trial court in a criminal case in which she is the defendant or to file a *pro se* motion to either appoint counsel or relieve counsel *as long as she has good cause to make the motion*. We find appellant has failed to show good cause to file the motion to relieve counsel; therefore, the motion is dismissed. Moreover, this Court's order of January 30, 2014 stated restrictions may be placed on appellant's ability to make a motion to either appoint or relieve counsel if she repeatedly files such motions without good cause. We find such restrictions are appropriate following the filing of this third motion to relieve counsel without good cause and hereby prohibit appellant from filing any further motions to relieve counsel in this matter.

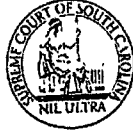


C.J.

FOR THE COURT

Beatty, J., not participating

Columbia, South Carolina
December 28, 2016



The Supreme Court of South Carolina

JEAN HOEFER TOAL
CHIEF JUSTICE, RETIRED
SENIOR ACTIVE JUDGE

1220 SENATE STREET (ZIP CODE 29201)
P.O. BOX 12456
COLUMBIA, S.C. 29211
TELEPHONE (803) 734-1584
FAX (803) 734-1047
E-MAIL: jtoal@sccourts.org

November 17, 2016

The Honorable DeAndrea G. Benjamin
Chief Administrative Judge for Common Pleas, 5th Judicial Circuit
Post Office Box 192
Columbia, South Carolina 29202

RE: *Dr. Marie Ass'ad-Faltas v. State*, 2016-CP-40-1444

Dear Judge Benjamin:

Attached is a communication I received yesterday from Dr. Faltas. The above-referenced PCR is scheduled for a hearing before me on Wednesday, December 7, 2016 at 9:30 a.m. My law clerk, Amelia Waring, and the PCR coordinator in the AG's office, Jessica Kinard, have had several communications beginning October 24, 2016, regarding the calendar for my PCR term in Richland County the week of December 5. These e-mails have included conflicts checks regarding several cases.

On November 9, 2016, Jessica sent the attached e-mail to Amelia regarding Dr. Faltas' PCR. A copy of this e-mail was forwarded to Leah Moody, Dr. Faltas' attorney. Amelia asked me whether or not I would be able to hear this PCR. I replied that I would be happy to do so. This was communicated to Jessica by Amelia.

I construe the communication from Dr. Faltas as a motion that I recuse myself in Dr. Faltas' case or alternatively that I state for the record that I am not biased against Dr. Faltas and can fairly adjudicate her case. I hereby affirm that I hold no bias against Dr. Faltas and will adjudicate her matter with complete fairness.

The balance of Dr. Faltas' communication also expresses her concern about a chance encounter with her this week as I walked into the John C. Calhoun State Office Building. Dr. Faltas greeted me politely, and I waved and proceeded into the building. There was nothing untoward about her conduct. She has every right to be on the State House grounds and in the public buildings. As to Dr. Faltas' assertions that I have been unfair to her in the past, I disagree. If Dr. Faltas believes, despite this letter, that I should recuse myself from her case, I will be

happy to do so.

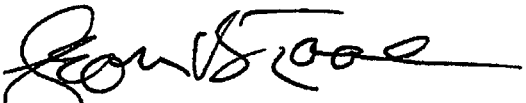
I am not in the habit of communicating directly with represented parties inasmuch as Canon 3B(7) of the Judicial Code of Conduct specifically provides "a judge shall not initiate, permit or consider ex parte communications, or consider other communications made to a judge outside the presence of the parties concerning a pending or impending proceeding" Dr. Faltas' verbal greeting to me is not an ex parte communication. In contrast, her e-mail is an ex parte communication in my view. I am copying this letter to the attorneys in this matter. I request that Ms. Moody send a copy of this letter to her client, Dr. Faltas.

Finally, Dr. Faltas addressed matters of scheduling. I am happy to reschedule this matter with input from your office and the Attorney General's office.

Please advise as to how this case should proceed.

With my kindest personal regards, I am

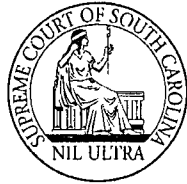
Sincerely yours,



Jean Hofer Toal

cc: Jessica Kinard, Esquire
Leah Moody, Esquire

JHT/aww
Enclosures



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE (803) 734-1080
FAX (803) 734-1499

February 22, 2017

Dr. Marie Assa'ad-Faltas
P. O. Box 9115
Columbia SC 29290

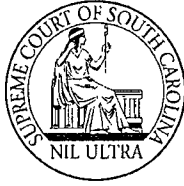
Dear Dr. Faltas:

This responds to an inquiry you made yesterday about taking the July 2017 bar examination in South Carolina.

The Office of Bar Admissions has no record of receiving a completed application for admission and the required filing fee from you. Further, under Rule 402 of the South Carolina Appellate Court Rules, the filing period for the July 2017 bar examination closed on January 31, 2017. Therefore, you are not an applicant for the July 2017 bar examination.

Sincerely,

Daniel E. Shearouse



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE (803) 734-1080
FAX (803) 734-1499

March 3, 2017

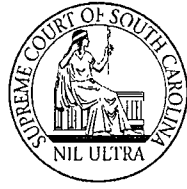
Dr. Marie Assa'ad-Faltas
P. O. Box 9115
Columbia SC 29290

Dear Dr. Faltas:

I am returning your letter dated March 2, 2017, which you sent to Chief Justice Beatty. Please remember that under this Court's order dated January 13, 2014, you are never permitted to contact any justice of this court by mail, telephone, e-mail or any other form of electronic communication.

Sincerely,

Daniel E. Shearouse



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE (803) 734-1080
FAX (803) 734-1499

March 3, 2017

Dr. Marie Assa'ad-Faltas
P. O. Box 9115
Columbia SC 29290

Dear Dr. Faltas:

This responds to your correspondence dated March 2, 2017.

If you desire to have this Court waive some provision of Rule 402 of the South Carolina Appellate Court Rules, that relief will have to be sought by petition to this Court, and the petition will need to comply with the requirements of Rule 240 of the South Carolina Appellate Court Rules, including the required motion filing fee. Further, in light of this Court's order dated January 13, 2014, the petition will have to be filed by an attorney licensed to practice law in South Carolina.

Sincerely,

Daniel E. Shearouse

RECEIVED

MAR 13 2017

Marie Assa'ad-Faltas, MD, MPH
P.O. Box 9115, Columbia, SC 29290
Cell Phone (330) 232-4164; Land Line (803) 783-4536
e-mail: Marie_Faltas@hotmail.com, and MarieAssaadFaltas@GMail.com

S.C. SUPREME COURT

13 March 2017

The Honorable Daniel E. Shearouse, Clerk of SC's Supreme Court
Sumter and Gervais Streets, Columbia, SC 29201

hand-delievered

Re: (1) My Desire to Sit for the Bar Exam in South Carolina
(2) My Application for an Administrative Position with South Carolina's Judicial Department
And (3) A Court Reporter's Unjustified Loss/ Destruction of a Transcript I Need.

Your Honor:


On 3 March 2017, I hand delivered two letters, one concerning my desire to sit for one of SC's near future administrations of the Bar exam (to which letter I received no response) and the other addressed to SC's Chief Justice Beatty, *in His Honor's administrative capacity*, and applying for a position of which I explained the need. You returned the latter letter to me citing some prohibition against my contacting a judge or justice "in person, by mail, telephone or other electronic means."

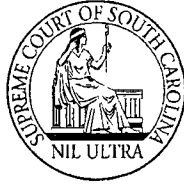
At the threshold, my 3 March 2017 letter to Chief Justice Beatty does not even come under the terms of any prohibition you cited, even assuming they were valid, which I strongly dispute. It was not given to Chief Justice Beatty in person, nor was it mailed or faxed or e-mailed to His Honor.

Beyond the procedure of delivering my application, I am not aware of any prohibition against my applying for any administrative position with SC's judicial department or of any deficiency in my conduct, record, or education that would disqualify from such a position. Further, if such prohibition were or had been instituted without notice to me, it would violate both SC's administrative procedures laws and federal anti-employment-discrimination laws. Moreover, to the extent the position of Director of SC's Office of Court Administration has, or soon will, become open with the election of the Honorable Roslyn Friarson to SC's Family Court bench, I hereby timely apply for that position and reiterate that I hold both a doctorate (MD) and a master's (MPH) and, as such, am at least as qualified as other applicant or aspirants to that position. I ask you to attach a copy of my 3 March 2017 letter to this application with the understanding that, if God-so-willing I am appointed to direct SC's OCA, I shall endeavor to integrate the efforts described in my letter into SC's OCA's activities.

Finally, because it appears that if I were to deliver three different letters on the same day one of them might inadvertently get disregarded, I ask you address to SC's Chief Justice, again in His Honor's administrative capacity, the issue of Court Reporter Linda Coconut Pantsari's loss/ destruction of the transcript of my September 2016 appearance before Judge Barber in Richland County's Court of Common Pleas. I sought that transcript in July/ August 2016, well ahead of the expiration of the five-year time limit, but was told that the court reporter assigned to transcribe that hearing cannot find her records for unexplained reasons. This is at least the third time I have had to resort to SC's Supreme Court in relationship to different court reporters violating the Manual. I hope you help in this issue at you did with the prior issues involving other court reporters who have since left SC's Judicial Department. Although your attitude is generally antagonistic to me, I hope you can find in your conscience enough fairness to not punish me for what others improperly do to me.

Thanks and God bless./

 s/Marie Assa'ad-Faltas, MD, MPH



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March 16, 2017

Dr. Marie Assa'ad-Faltas
P. O. Box 9115
Columbia SC 29290

Dear Dr. Faltas:

This responds to your letter dated March 13, 2017. Please be advised that Chief Justice Beatty has instructed me to inform you that he has no interest in creating the administrative position that you suggest in your letter of March 2, 2017.

As to the position of Court Administrator, our Office of Finance and Personnel is not currently accepting applications for that position.

As to the loss of any court reporter tapes, Chief Justice Beatty has disqualified himself in all of your cases. Therefore, he will be unable to assist you with this matter. Instead, I would encourage you to contact the Office of Court Administration with your concerns about any lost court reporter records.

Finally, you have now indicated that you have received my letter of March 3, 2017, addressing your inquiry about waiving the requirements of Rule 402 of the South Carolina Appellate Court Rules.

Sincerely,

Daniel E. Shearouse