

BEFORE THE SUPREME COURT OF SOUTH CAROLINA ("SC")

Appellate Case No. 2018-001290

On Petition for a Writ of *Certiorari* to RICHLAND COUNTY Court of Common Pleas,
Jean Hoefer Toal, sitting as Circuit Judge on Circuit Court Case No. 2016-CP-40-01444
Marie-Thérèse Assa'ad-Faltas, MD, MPH, Respondent,
v.
The State of South Carolina, Petitioner.

Appellate Case No. 2019-000036

On a Mishmash of Applications by the State relative to RICHLAND COUNTY Court of Common Pleas,
And Apparently Related to Circuit Court Case No. 2018-CP-40-01798
Marie-Thérèse Assa'ad-Faltas, MD, MPH, Respondent/Defendant to Complaint in Original Jurisdiction
v.
The State of South Carolina, Petitioner/Plaintiff in this Court's Original Jurisdiction.

Appellate Case No. 2019-000708

On Petition for a Writ of *Certiorari* to RICHLAND COUNTY Court of Common Pleas,
The Honorable Perry H. Gravely, Circuit Judge on Circuit Court Case No. 2017-CP-40-06831
Marie-Thérèse Assa'ad-Faltas, MD, MPH, Respondent,
v.
The State of South Carolina, Petitioner.

Dr. Assa'ad-Faltas' Fifth Supplement to her Motion to Relieve Counsel in 2018-001290
COMBINED WITH: (1) Dr. Assa'ad-Faltas' Renewed Motion to Dismiss Complaint 2019-000036
AND (2) Supplement to Dr. Assa'ad-Faltas' Motion to Relieve Counsel in 2019-000708

In 2018-001290, SCAAG James promptly amended his appendix and honorably credited Dr. Assa'ad-Faltas with having alerted SCAAG James to the errors and omissions in his initial appendix. The corrected appendix promotes judicial economy in giving this Court a correct factual basis for denying *certiorari*. That was not, and could not have been, done by Appellate Defense, who have so far acted only as a conduit between SCAAG James' submissions without heed to Dr. Assa'ad-Faltas' other interests.

More judicial economy is achievable by showing that Hon. Judge Gravely's rulings in 2017-CP-40-06831, from which SCAAG James seeks *certiorari* in 3C App. Case 2019-000708, are functional acquittals; therefore, the State's appeal is barred by Double Jeopardy. The transcript of the 10 August 2018 PCR proceedings before Judge Gravely has been timely completed by the excellent Elizabeth Harris, Court Reporter for the State of South Carolina. Dr. Assa'ad-Faltas respects Rule 607(h)(1)(B), SCACR, which provides in pertinent part:

(h) Fees for Transcription and Other Services:

(1) By Judicial Department Court Reporter. A court reporter shall receive the following fees: [...] (B) A fee of One Dollar (\$1.00) per page for furnishing a copy of a previously prepared transcript.

Dr. Assa'ad-Faltas received no response to her inquiries of Appellate Defense, SCCOID and SCAG, to secure payment to the court reporter per § 17-27-60, SC Code of Laws, which provides with emphasis added:

SECTION 17-27-60. Court costs and expenses for indigents.

If the applicant is unable to pay court costs and expenses of representation, **including stenographic**, printing and legal **services**, *these costs and expenses shall be made available to the applicant in the trial court, and on review*, in amounts and to the extent funds are made available to indigent defendants by the General Assembly.

By copy to SC's 5th Judicial Circuit's chief judge for administrative purposes Dr. Assa'ad-Faltas seeks an ORDER for SCAG or SCCOID to pay the court reporter, *whose attached invoice is within the "funds made available by the General Assembly,"* if the circuit court retains jurisdiction to so order. **Otherwise**, Dr. Assa'ad-Faltas shows that relief of nominal counsel and allowing this respondent to proceed *pro se*, with or without stand-by counsel, should be entered forthwith for judicial economy and justice.

Submitted on 2 July 2019 and served on SC's Attorney General by hand-delivery to his office, with copies served by hand-delivery to the respective offices of SC Appellate Defense and Attorney Truluck, and to Judge Newman via Richland County's Clerk of Court's office, all God so willing.

Marie-Thérèse Assa'ad-Faltas, MD, MPH, Defendant/Respondent/Movant *pro se* for this submission
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Page 1 of 1 exclusive of attached invoice and of incorporation by reference of all matter available for judicial notice

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S.C. SUPREME COURT

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APPELLATE DEFENSE

SERVICE INVOICE

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BILL TO:
Marie Assa'ad-Faltas

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TRANSCRIPT OF HEARING FALTAS V. STATE COPY DATE TAKEN: 08-10-18 CASE NUMBER: 2017-CP-40-6831 BEFORE: THE HON. PERRY GRAVELY	49	100	49.00
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ELIZABETH B. HARRIS

**TRANSCRIPT WILL BE DELIVERED
UPON PAYMENT.**