

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 Hofer 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.

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Dr. Assa'ad-Faltas' Motion to End Counsel's Representation in S.C. SUPREME COURT 2018-001290

Without lack of gratitude to Ms. Jessica Saxon's diligence, amiability, and apparent genuine desire to see her client win, and without unnecessarily disclosing attorney-client privileged communications, Dr. Assa'ad-Faltas' conscience can no longer acquiesce to this Court's lamentable singling her out for denial of her right to speak for herself when this Court cannot point to any lower court having branded her "vexatious," "frivolous," or "amentable" and when the sheer number of cases brought by her false accusers in the criminal cases exceeds in number and judicial adjudication time what Dr. Assa'ad-Faltas had brought before this Court's series of strange orders starting on 8 April 2011. It bears repeating that before her right to self-representation was arbitrarily denied, Dr. Assa'ad-Faltas had favorably settled all civil cases she had brought in SC state courts and had exonerated herself from all criminal charges against her. By contrast, her eventual false accusers in criminal cases had dragged many civil defendants and juries through futility.

Despite her diligence and good will, Ms. Saxon refused to brief issues Dr. Assa'ad-Faltas had asked her to brief, including appealability of PCR grants and all additional sustaining grounds the PCR judge discussed from the bench. Dr. Assa'ad-Faltas cited to Ms. Saxon this Court's *Hiott v. State*, which holds that PCR counsel must brief even issues (s)he thinks frivolous and reminded Ms. Saxon that all additional sustaining grounds must be presented to the state court or be deemed waived in case resort to federal habeas becomes necessary, all to no avail. Dr. Assa'ad-Faltas is offended by the continued decision-making of Mr. Dudeki, who has a clear self-admitted conflict and who should have "Chinese-walled" himself from this case.

Just for the sake of not waiving her position in case federal habeas becomes necessary, Dr. Assa'ad-Faltas seeks leave to represent herself as the respondent in this case, as there is no authority or precedent for precluding a respondent from self-representation in appellate courts. But because Dr. Assa'ad-Faltas has despaired of this Court ever being fair to her, she asks that counsel's representation be ended and that this Court decide this case on the submissions before it without requesting or allowing participation by any counsel imposed on Dr. Assa'ad-Faltas. This does NOT concede the State's petition; to the contrary, it reminds this Court that it has an independent duty to probe the entire record and affirm the PCR grant or deny *certiorari* on any reason appearing on the record. Should this Court already have a predetermined result against Dr. Assa'ad-Faltas no matter what her forced counsel says or does, there is no reason to compound the unfairness by falsely pretending that this Court gave Dr. Assa'ad-Faltas a full and fair opportunity to be heard in opposition to the State.

WHEREFORE, counsel's representation should be ended and this Court should proceed on the record before it without further participation by forced counsel.

Submitted on 3 October 2019 and contemporaneously served on SC's Attorney General and on Ms. Saxon by hand-delivery to their respective offices, all God so willing.

Marie-Thérèse Assa'ad-Faltas, MD, MPH, Respondent/Movant *pro se* for this submission:
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