

Original
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BEFORE THE SUPREME COURT OF SOUTH CAROLINA

Dinah Steele et al.
v.
Marie Assa'ad-Faltas, MD, MPH

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

City of Columbia
v.
Marie Assa'ad-Faltas, MD, MPH

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City of Columbia
v.
Marie Assa'ad-Faltas, MD, MPH

City of Columbia
v.
Marie Assa'ad-Faltas, MD, MPH

Plaintiff

Defendant

Plaintiff

Defendant

Plaintiff

Defendant

Plaintiff

Defendant

Plaintiff

Defendant

2009CP4007098
RECEIVED
2009CP4008013
JAN 12 2021
S.C. SUPREME COURT
2010CP4007063
2010CP4008650
2011CP4002111

DEFENDANT'S TIMELY NOTICE OF APPEAL AND MOTION TO PROCEED *IFP* IF SUCH MOTION WERE NEEDED (Richland County, Clifton Newman, Judge).

Marie Assa'ad-Faltas, MD, MPH ("Dr. Assa'ad-Faltas") hereby timely appeals from all parts of SC Circuit Judge Clifton Newman's 7 November 2017 ORDER *other than* the part granting counsel in 2011-CP-40-03547 and from His Honor's 23 December 2020 ORDER denying *without explanation* a timely motion for reconsideration, which latter ORDER was not mailed by the Clerk of Richland County's Circuit Court until 30 December 2020 and not received by Dr. Assa'ad-Faltas until 5 January 2021 due to the intervening holidays and Covid-19 mail delays.

To the extent the last three of the five above-captioned cases are criminal, no filing fee is required. To the extent the first two are civil, Dr. Assa'ad-Faltas seeks leave to proceed *in forma pauperis* since, as this Court well knows, Dr. Assa'ad-Faltas has been kept for the last eleven years unable to work while defending against false criminal charges from the majority of which she was, thank God, acquitted based on her own able *pro se* advocacy or her alert cooperation with forced counsel, or, if convicted, granted PCR relief based again on her able *pro se* advocacy.

Further, this Court has repeatedly appointed SC's Office of Appellate Defense to represent Dr. Assa'ad-Faltas in criminal appeals based on document-supported findings that she cannot afford private counsel. Dr. Assa'ad-Faltas hereby certifies under penalty of perjury that her financial condition has not improved since this and other state courts' findings that Dr. Assa'ad-Faltas is indigent. Although Dr. Assa'ad-Faltas *was by other means* appointed PCR counsel in related cases, she still needs to appeal for the right to a belated appeal after the previous timely appeals were returned unfiled due to lack of counsel; and this appeal is necessary to prevent SC Circuit Judge Clifton's Newman reasoning on timeliness from becoming the law of the case. The orders appealed from are not attached pursuant to this Court's several Covid-19-prevention policies of reducing paperwork by downloading the orders from the public indices of the respective courts from which appeal is taken.

Sincerely submitted, and served by e-mail to Amye Rushing and Michael Davidson and by first-class properly-addressed U.S. mail to Dinah Gail Steele (at 1403 Haigs Creek Dr, Elgin, SC 29045) and by hand-delivery and/or e-mail to Richland County's Clerk of Court, all on 11 January 2021, all God so willing.

Marie Assa'ad-Faltas, MD, MPH, Defendant/Appellant *pro se* for purposes of this Notice and Motion
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