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The Supreme Court of South Carolina  
SC Court of Appeals

In the Matter of Marie Assa'ad-Faltas, Respondent.

Appellate Case No. 2013-000862

EXHIBIT

No. 4

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ORDER

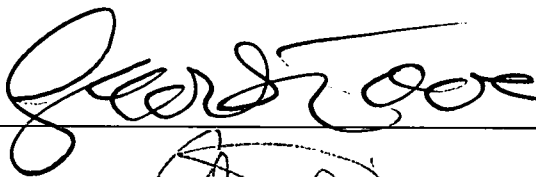

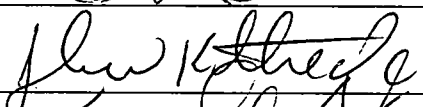
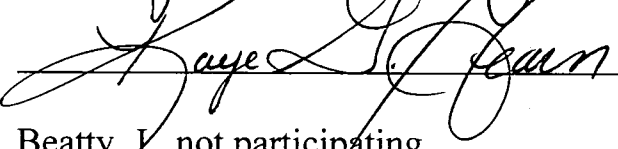
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By order dated June 28, 2013, this Court placed restrictions on respondent's filings and contacts with the Unified Judicial System in South Carolina. One of the restrictions is that respondent "may not represent herself pro se in any court of this state. Instead, she must be represented by counsel before any court of this state."

Thereafter, respondent requested we appoint counsel to represent her in filing a petition for reconsideration of the Court's order. By order dated July 22, 2013, signed by the Chief Justice on behalf of the full Court, Tristan Shaffer was appointed to represent respondent. However, on August 2, 2013, respondent filed a pro se motion asking the Court to relieve Mr. Shaffer as counsel. Respondent has filed three supplements to the motion.

Meanwhile, Mr. Shaffer filed a petition for rehearing in which he argues the Court's order prohibiting respondent from representing herself violates *Faretta v. California*, 422 U.S. 806, 95 S.Ct. 2525, 45 L.Ed.2d 562 (1975).

The motion to relieve Mr. Shaffer as counsel is denied. However, we grant the petition for rehearing and hereby modify our prior order to prohibit respondent from proceeding pro se in any **civil** action in any court of this state unless represented by counsel. Respondent may proceed pro se in **criminal** actions in which she is a defendant. However, respondent is reminded that her right to proceed pro se in a criminal action is not absolute and may be forfeited, on a case-by-case basis, and at the discretion of the court before which respondent is appearing, if respondent is unable or unwilling to abide by the rules of procedure and courtroom protocol. *McKaskle v. Wiggins*, 465 U.S. 168, 104 S.Ct. 944, 79 L.Ed.2d 122 (1984); *Faretta, supra*.

  
C.J.  
  
J.  
  
J.  
  
J.  
Beatty, J., not participating

Columbia, South Carolina

November 7, 2013

cc:

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