

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
 Marie Assa'ad-Faltas,)
 Applicant)
 v.)
 State of South Carolina,)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 Relief (PCR) No.: 2018-CP-40-01298

JEANETTE W. McBRIDE
 C.C.P. & G.S.
 2018 DEC 28 PM 2:19
 RICHLAND COUNTY
 FILED

RECEIVED
 ORDER RELIEVING COUNSEL
 Oct 20 2021
 SC Court of Appeals

This matter came before the court on December 28, 2018, upon Applicant's Emergency Motion to Relieve Counsel. The Applicant was present at the hearing along with her counsel, Chris Truluck. The State was represented by Megan Jameson. The State objected to the hearing proceeding because notice was provided less than twenty-four hours before to the hearing, and counsel of record was unavailable. The Court determined that due to the nature of the hearing and it being limited to the above relief requested, the hearing proceeded.

The Applicant and her attorney advised the Court that they are awaiting receipt of an order from Judge Sprouse following a recent hearing in this matter, but that due to the overwhelming amount of work required to properly represent Dr. Faltas as standby counsel, in addition to other reasons, Mr. Truluck should be relieved as counsel.

In addition to hearing the arguments of the parties, the court conducted an *in camera* hearing between Dr. Faltas and her attorney on the question of whether he should be relieved as counsel.

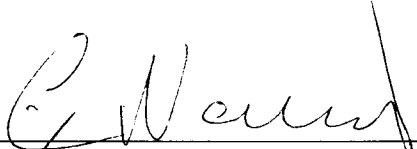
The Attorney General argued that section (5) of the South Carolina Supreme Court's Order dated September 27, 2017, though not specifically addressing Post-Conviction Relief matters, should be interpreted to include Post-Conviction Relief matters.

Dr. Faltas and her attorney argued that the South Carolina Supreme Court Order should not be interpreted to include Post-Conviction Relief matters as these matters are quasi-criminal in nature.

Having fully considered the arguments of the parties, the Court finds that upon receipt of Judge Sprouse's order, Chris Truluck should be relieved as standby counsel in the above-referenced matter. The Court further finds that since the South Carolina Supreme Court's Order does not specifically preclude Dr. Faltas from representing herself in Post-Conviction Relief matters, she should be allowed to represent herself in this matter pending further clarification from the South Carolina Supreme Court as to this issue. The Court further finds that the parties should seek further clarification from the Supreme Court as to whether Dr. Faltas can represent herself in Post-Conviction Relief matters, particularly since Dr. Faltas has other matters pending before the South Carolina Supreme Court.

IT IS THEREFORE ORDERED that the Emergency Motion to Relieve Counsel in PCR Case Number 2018-CP-40-01798 is granted upon receipt of the order of Judge Sprouse. It is further ordered that Dr. Faltas can represent herself in this matter unless and until otherwise directed by the South Carolina Supreme Court.

AND IT IS SO ORDERED.



Clifton Newman
Presiding Judge
5th Judicial Circuit

December 28, 2018

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

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2018CP4001798

Marie Assaad Faltas

State Of South Carolina

City Of Columbia

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for : Plaintiff Defendant or Self-represented Ligitant

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. Nonpart); 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

2018 DEC 31 AM 9:10
FILED
RICHLAND COUNTY
CLERK OF COURT
JEANETTE W. BRIDE
C.P. & C.S.

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 PUBLIC 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 31 December 2018 to attorneys of record or to parties (when appearing pro se) as follows:

Marie Assaad Faltas Christopher Stephen Truluck Lindsey Ann McCallister

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Clerk of Court

Jeanette W. Bride