

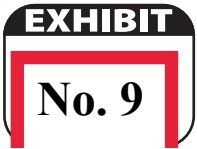
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STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

IN THE COURT OF GENERAL SESSIONS

State of South Carolina )  
and City of Columbia, )

TRANSCRIPT OF RECORD  
10-GS-40-11980  
10-GS-40-11987



-vs-

Marie Assa'ad-Faltas, )  
MD, MPH, )  
Defendant. )

May 18, 2016  
Columbia, South Carolina

B E F O R E:

HONORABLE ALISON RENEE LEE, JUDGE

A P P E A R A N C E S:

DEFENDANT PRO SE

**RECEIVED**

**Oct 21 2021**

S.C. SUPREME COURT

Linda D. Moffitt

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EXHIBITS

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EV.</u>
C-1	Expenses		40
C-2	Court reporter bill		40
C-3	Documents		40
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1 THE COURT: We are here this afternoon on a motion  
2 relating to docket numbers 2010-GS-40-11980 and  
3 2010-GS-40-11987. It's in the matter of the State and the  
4 City of Columbia vs. Marie Assa'ad-Faltas. Dr. Faltas has  
5 filed a motion, ex parte motion, to be reimbursed for pro se  
6 defense expenses from the South Carolina Commission on  
7 Indigent Defense. Dr. Faltas is present this afternoon.

8 And, Dr. Faltas, I'll be happy to hear you on your  
9 motion. As I understand it, you're seeking reimbursement  
10 for expenses relating to a court case that was ultimately  
11 tried here and then remanded to the city court. And I  
12 believe that those -- those case have ended. At least to my  
13 knowledge they have ended. And as I understand it there  
14 have subsequently been expungements of the charges. And so  
15 those expungements, one was signed by Judge Benjamin and one  
16 was signed by Judge Dana Turner. And those expungements  
17 require that all of the documents relating to that offense  
18 be destroyed. So I have no file to be able to go to to go  
19 back and pick it up. I do however have a number of copies  
20 of documents that you have filed with the clerk of court  
21 here in some cases that I have. While they may have been --  
22 they may have been put in a different file because there was  
23 no -- because these files have been destroyed, I do have  
24 copies of the motion that you made and I have copies of the  
25 information that you've sent. I believe you sent several

1 e-mails relating to some of those documents. And as I  
2 understand -- and I do have a copy of your expenses, your  
3 itemization of your expenses, and a spreadsheet, I believe.  
4 And I think if I'm not correct, you can correct me, and I'm  
5 sure you will, that they're both the same information.  
6 They're just in different forms. No?

7 THE DEFENDANT: Good afternoon, Your Honor.

8 First, thank you for the hearing.

9 Second, if it pleases the Court, because I stand, thank  
10 God, it's much better than when I last appeared before Your  
11 Honor, but I still have knee issues. I also have shortness  
12 of breath issues. So, if I may, be seated, and I hope the  
13 court reporter can hear me.

14 THE COURT: I don't have any problem with you being  
15 seated. I just need to make sure that you speak loudly so  
16 that I can hear you. Perhaps if we can -- we can move one  
17 of those microphones, maybe this one here that's in front of  
18 her a little bit closer to her so that I can make sure I  
19 hear. You don't have to speak into the little microphone  
20 because she can hear that.

21 THE DEFENDANT: Okay. Could we test?

22 THE COURT: It's fine. You don't have to speak right  
23 on top of it. Okay.

24 THE DEFENDANT: Okay. Thank you.

25 First of all, Your Honor, it's actually three cases,

1 the two G.S. numbers that you mentioned and also a case that  
2 was entirely brought by the City of Columbia in municipal  
3 court. And those three cases completely ended in my favor,  
4 and I was pro se from beginning to end. However, they have  
5 had a very long and a history of torture to me. And I am  
6 sorry. The system failed me at every step. And it is time  
7 for me to be made whole, at least in part. I am not asking  
8 for money from Mr. Hugh Ryan's personal pocket.

9 THE COURT: Oh, I understand.

10 THE DEFENDANT: It is -- it is the state that brought  
11 those false charges against me. It is every single judge of  
12 this state, Your Honor included, who sat by when I was  
13 trying to show that the charges are fabricated and I  
14 shouldn't suffer under them and no one did anything for me.  
15 And so it was totally justified for me to continue  
16 researching and --

17 THE COURT: And I'm not disputing any, any of that  
18 information, Dr. Faltas. What I'm here about today is to  
19 determine from you --

20 THE DEFENDANT: Yes.

21 THE COURT: -- what you're claiming the expenses are in  
22 the motion that you filed on Monday, the 16th of May. There  
23 were -- there were several categories of expenses which you  
24 claim that you were to be reimbursed for, and that's what  
25 I'd like to address, is those expenses.

1 I understand that all of your court cases as it relates  
2 to these particular matters have been dismissed and are  
3 ended, and I understand your position as it relates to how  
4 you were treated throughout the entire ordeal. So I  
5 would -- while I appreciate how you feel about it, and I  
6 really would like to not make it, for lack of a better word,  
7 a personal issue, I understand that you --

8 THE DEFENDANT: It is personal to me. I'm sorry. I'm  
9 the one who had my wrist bruised. I am the one who was put  
10 in cells of stone and --

11 THE COURT: Dr. Faltas, I'm not going to entertain  
12 that.

13 Okay. I do understand, and you seem to think that I  
14 don't have -- that I don't have any empathy for you. I do  
15 understand that and I understand exactly what your position  
16 is. And what I am trying to get at today, because this is  
17 the motion that's before us, is you believe that you're  
18 entitled to be reimbursed for those expenses. And I'm just  
19 trying to gather what those expenses are.

20 THE DEFENDANT: Absolutely. And what I'm trying to say  
21 is that the law requires that I be reimbursed for pro se  
22 defense expenses provided two things which -- which apply in  
23 this case. Number one, that I represented myself pro se;  
24 and, number two, that I was judged mentally competent to  
25 represent myself pro se.

1           Now, where it is up to the judge, is to raise the  
2 statutory cap, and there is case law that says that the  
3 judge may raise the statutory cap.

4           So my initial idea was to apply for raising the  
5 statutory cap and then have every single dollar and cent  
6 verified by the commission of indigent defense. You want to  
7 take a different approach, you want to verify every single  
8 expense, that's fine. But I had short notice of that and I  
9 e-mailed the receipts to Mr. Devlin. I hope he received  
10 them. I'm sorry. I did not have a chance to reprint them.  
11 I had one time printed them and submitted them to the  
12 commission of indigent defense, and they said we need the  
13 judge's order, and I could not get any judge to hear me for  
14 years -- years. Now --

15           THE COURT: Okay. So what you're saying is that the  
16 specific itemization and the receipts that support that have  
17 been sent to the office of indigent defense.

18           THE DEFENDANT: Yes, ma'am.

19           THE COURT: And so what -- and I understand they  
20 don't -- they do not pay anything without having a court  
21 order that allows those expenses. Okay. And so what I have  
22 before me is a list of -- is a list that starts in December  
23 of 2009 that lists things like Kinko's copy pickup, U.P.S.  
24 all of those, the postal service, Walgreens. All of those  
25 are itemized and those relate to the expenses arising out of

1 this particular action.

2 THE DEFENDANT: This actually relates only to the  
3 printing expenses. I have also made another one, and in the  
4 proposed order I asked for the statutory cap to be raised to  
5 \$20,000 and for the commission to reimburse me for  
6 non-duplicative expenses. And the reason for that is that  
7 some expenses were paid directly earlier from the commission  
8 of indigent defense directly to the -- to, for example, a  
9 court reporter. But others have not been, and these are the  
10 ones that aren't. So I'm saying that I want the global cap  
11 for expenses to be raised to \$20,000, that part of the  
12 expenses that they have not reimbursed me yet, that they be  
13 reimbursed within that cap. And of course if that  
14 applies -- and I'm also seeking compound interest, and that  
15 is justifiable because, in essence -- and I know this is not  
16 a civil case, this is a criminal matter -- but, in essence,  
17 I was the prevailing party. The state brought charges,  
18 false charges against me. I exonerated myself, thank God.  
19 So I'm the prevailing party. I'm entitled to costs. And  
20 when there is judgment it is usually -- it also -- I could  
21 lose compound interest, and I'm trying to make some law here  
22 because I'm trying to get some meaning from the seven years  
23 of torture, that this doesn't happen to somebody else.

24 THE COURT: And I understand that, Dr. Faltas, and I  
25 will have to look at the statute and all of those -- those

1 authorities relating to this particular statute. But I  
2 think when you talk about interest and you talk about being  
3 the prevailing party, I think those relate to civil matters  
4 and not to the criminal issues.

5 So to the extent that the statutes and O.I.D. allow for  
6 interest, certainly you could be entitled to that interest  
7 as well. But I'm just saying in advance I'm not sure that  
8 that's authorized by the statute.

9 THE DEFENDANT: And, Your Honor, the last time I  
10 appeared before Your Honor I made several arguments  
11 including the South Carolina's last-argument rule that if  
12 the criminal defendant presents evidence he cannot go last,  
13 but if he doesn't prevent evidence he can have the last.  
14 And I argued, and that's in the transcript too, that this is  
15 inappropriate. And now they have changed the rule. I'm not  
16 saying whether they got the idea to change the rule from me  
17 or not, but I'm saying, thank God, I'm blessed with an  
18 exquisite intellect and I'm appearing before a judge whom I  
19 respect very much both for your integrity and your  
20 intellect. I was disappointed by some recent acts of Your  
21 Honor, but I still would like to think that I'm appearing  
22 before the Judge Lee I knew from before. In any event, we  
23 can make law, we can advance the law. And if there is  
24 reason to -- to change the law that is -- it's part of the  
25 lawyer's duty and of the judge's duty to advance the law.

1 And I'm saying that's only one recent example.

2 When I appeared before the Honorable Donald Beatty when  
3 he was a Court of Appeals judge I argued orally pro se  
4 before the Court of Appeals that when a motion for a new  
5 trial is granted to a criminal defendant based on after  
6 discovered evidence it should not be appealed by the  
7 prosecution.

8 Two years later when His Honor became the Justice of  
9 the Supreme Court he wrote an opinion saying exactly that.  
10 So I'm saying there are things that I am saying now that I  
11 would face arguments to extend and modify the law, and my  
12 history of making innovative arguments should entitle me to  
13 make those arguments and owes me serious consideration from  
14 Your Honor. And if you agree with me, this is great; if you  
15 don't, please give the reasoning and --

16 THE COURT: Sure. And I think, Dr. Faltas, you know,  
17 we've had a long history together. I think and find that I  
18 do give a reason for making my rulings.

19 They may not always be correct rulings, they may not  
20 always be ones that you agree with, but I try to give a  
21 reason because sometimes my hands are tied and I cannot  
22 change the law. That's for a higher court to do.

23 But let me -- let me just as an aside go back and say I  
24 understand that you may have some -- that you may be  
25 disappointed in what you perceive to be actions, but let me

1 tell you, Dr. Faltas, that despite what you have knowledge  
2 of there's also information on my side from which I haven't  
3 tried to do to get information heard. And I can only do  
4 that when I'm in general sessions court, which I am this  
5 week, which is why your motion is coming up to be heard at  
6 this particular point, because I understand that it had been  
7 filed. It had never been ruled upon, and I did not agree  
8 with the fact that it had not been ruled upon, and I tried  
9 to take steps to see if I could get it heard in another  
10 forum and that didn't work out. So the only other recourse  
11 is when I hold criminal court, and this is the first time  
12 I've held criminal court in almost a year to be able to  
13 address those particular issues.

14 THE DEFENDANT: And I appreciate that, Your Honor, and  
15 please let me just say something.

16 I have seen you advise a young lawyer. You told him  
17 don't ever let them send you unprepared. You know, he  
18 was -- he was told to come for another lawyer by his law  
19 firm.

20 And may I just say don't ever let them make you less  
21 than what you are. And -- and I stop with that because it's  
22 not -- my disappointment isn't that I disagree with Your  
23 Honor's ruling. My disappointment is that I believe you  
24 were under pressure to make them the way you did and you  
25 succumbed to that pressure. And I'm five years and five

1 months older than Your Honor. And let me tell you lovingly  
2 don't ever let them again make you less than what you are.

3 THE COURT: well, and I appreciate that and I  
4 appreciate how it may appear, and so I'll just say thank you  
5 for that.

6 THE DEFENDANT: Okay. So, also I would like -- and,  
7 again, by way of extending and advancing and improving the  
8 law, I think the criminal law, at least in South Carolina,  
9 because in other states like Texas, for example in Texas,  
10 they have a conviction integrity unit. Whatever the general  
11 himself -- and that's how it should be because he's supposed  
12 to -- prosecutor is supposed to be the minister of  
13 justice -- goes through convictions and sees if they were  
14 wrong, and if they were wrong people get freed, and the  
15 state pays them compensation.

16 Okay. South Carolina doesn't do any of that. But I  
17 would like to improve the Rule 11 concept and, you know,  
18 please let me make my record and how your conscience leads  
19 you to improve the Rule 11 concept that when criminal  
20 charges have been brought with falsity and with knowledge of  
21 the falsity and with motives that would be inappropriate  
22 under Rule 11 in a civil case, then the Court should on its  
23 own power, under its own equity power, without the -- the  
24 wrongfully accused defendant having to file a Section 1983  
25 case or anything -- the -- the Court should under its own

1 equity power make the prosecution make the defendant whole.

2 For example, and I'm not asking for this under  
3 expenses, but I will also make the motion under a theory of  
4 importing Rule 11. I was made to stay in a motel for four  
5 years, and in those four years I was made, at least three of  
6 them, I was being made to pay rent to my apartment and not  
7 go to my apartment, and the system refused to hear my motion  
8 to modify the bond.

9 I think under a theory of importing Rule 11 into  
10 criminal proceedings my family and I should be compensated  
11 for the four years of my having to stay in a motel because  
12 it bankrupted them.

13 But going back to the expenses and the record, first,  
14 it wasn't Judge Benjamin who signed the expungement order.  
15 I think it was Judge Cooper. But, in any event, the City of  
16 Columbia still has the records, and that remand was illegal,  
17 and I was going as a matter of also, you know, the expenses  
18 of fighting the motions and counting the pages of the  
19 motions and all of that because, of course, the biggest  
20 injury to me of those seven years of my life and also the  
21 terror in which I live that anyone can at any moment do  
22 extreme impunity, falsely accuse me of something, arrest me  
23 and then we suffer no consequences, but I'm saying I should  
24 at least be made whole for the expenses, and those should  
25 also include the printing of the motions I filed, etc.,

1 because let us remember it ended in my favor. I -- I  
2 shouldn't, and these charges were so false, and everybody  
3 knew they were false, and the prosecutor is supposed to  
4 prosecute crime, but the prosecutor was committing the  
5 crimes of subornation of perjury, of actually falsifying the  
6 records, of lying to the Court. And this should no  
7 longer -- we have seen it. I've said that when they came to  
8 arrest me they secretly hoped that I was going to misbehave  
9 and they would shoot me. And everybody was saying, oh, the  
10 Faltas is crazy, this doesn't happen. Really? Jefferson,  
11 Missouri, Baltimore, North Charleston. Police officers  
12 shoot people all of the time and pretend that the one who  
13 was shot was trying to kill the police officer.

14 I was ahead of my time in everything I did, and I am  
15 not going to be silent about what was done to me. But so  
16 I'm saying, first of all, the entire record is still with  
17 the City of Columbia and the indictment was illegal because  
18 the City of Columbia never had jurisdiction. The city  
19 municipal court never had jurisdiction on first degree  
20 charges and they never, ever obtained a warrant for second  
21 degree charges, which arguably the Columbia Municipal Court  
22 may have jurisdiction over.

23 In addition, at the trial the prosecutor insisted,  
24 because the jury came back with a question is there a lesser  
25 charge, and the prosecutor, I said it's okay to tell them

1 that second degree is a lesser included charge. The  
2 prosecutor said, no, it is not. And I asked Judge Newman  
3 what's your ruling. He said I don't know, I'm not making a  
4 ruling.

5 So for -- that indictment was illegal and that is one  
6 more reason I would be entitled to the theory of Rule 11  
7 sanctions or something that is equivalent to Rule 11  
8 sanctions in -- in criminal court to so -- so -- okay.

9 So as a matter of housekeeping I would ask Your Honor  
10 to order that the city send back the record. First, it  
11 should never have gone there. Second, it can be sent and  
12 kept under seal pending the adjudication of these motions.  
13 And, third, it is still there. It is still there.

14 THE COURT: All right.

15 THE DEFENDANT: I've seen it.

16 THE COURT: And I guess what I'm -- I'm trying to  
17 figure out, what records you are referring to. The  
18 transcript?

19 THE DEFENDANT: Everything. The motions, the orders,  
20 everything from the G.S. cases the city still has.  
21 Everything.

22 THE COURT: And that's on the harassment charges?

23 THE DEFENDANT: Yes, Your Honor. And also the unlawful  
24 use of telephone.

25 THE COURT: And the expungement on the harassment

1 charges were signed by Judge Turner from municipal court.

2 THE DEFENDANT: And there was also another order but --

3 THE COURT: And then there were charges relating to the  
4 charges in general sessions court relating to harassment,  
5 and there were two counts. Those were expunged here. Judge  
6 Benjamin signed the order in August of 2012.

7 THE DEFENDANT: Okay.

8 THE COURT: And Judge Turner signed her, the order, in  
9 September of 2012. So to the extent that those records may  
10 still exist, I'll put it this way. Those records -- there  
11 is no records of those indictment numbers or warrant numbers  
12 in -- in this courthouse because they have been destroyed  
13 and expunged.

14 THE DEFENDANT: No. They were not -- they are not  
15 here, not because they were destroyed and expunged. It is  
16 because they were improperly sent.

17 THE COURT: I understand that there were -- some  
18 charges were remanded back, and I understand that you're  
19 claiming that they were remanded back improperly. But I'll  
20 certainly inquire as to whether or not their records there  
21 that are still, in light of the expungement signed by Judge  
22 Turner, I will inquire as to whether or not those records  
23 still exist. But I do have -- I think there are transcripts  
24 and I think there are other records that you -- that you  
25 never received copies of, and so you have those -- those

1 items which can be used to preserve this argument for an  
2 appellate court.

3 THE DEFENDANT: Yes, and --

4 THE COURT: what I'd like to do is -- I understand some  
5 of the charges that you are seeking to be reimbursed for,  
6 particularly as it relates to the witnesses and the SLED  
7 reports on those witnesses. I understand that. I  
8 understand about the transcripts that you are requesting to  
9 be reimbursed for.

10 There are other -- the other expenses I think I do --  
11 there are categories which I guess I need to inquire as what  
12 they are about. There are some charges, looks like, that  
13 relate to the U.S. Federal District Court.

14 THE DEFENDANT: Okay. And -- and, Your Honor, if I may  
15 approach, please, or at least not approach but show you some  
16 exhibits because that was --

17 THE COURT: And, Dr. Faltas, what I heard you say  
18 earlier is that some of the transcripts may have been  
19 already paid for by O.I.D.

20 THE DEFENDANT: Yeah, yes, ma'am, and I did that in --  
21 in the spreadsheet, what I said paid for, yes, no.

22 THE COURT: Okay. Yes. I see that.

23 THE DEFENDANT: But it -- when I opened it -- and I had  
24 prepared that in 2013, and when I opened it in a different  
25 format it didn't format right. I reformatted it yesterday

1 and reprinted, and if I may --

2 THE COURT: Do you have a copy of those?

3 THE DEFENDANT: Yes, yes, yes. But let me. Let me  
4 find the copy first, Your Honor.

5 (Pause.)

6 THE DEFENDANT: And --

7 THE COURT: Yes, ma'am. This is -- this is the same  
8 information. I just -- it just lined up a little bit  
9 better. Thank you.

10 THE DEFENDANT: And may I also show Your Honor?

11 THE COURT: And this is a copy of the documents. This  
12 is an extra copy?

13 THE DEFENDANT: Well, if the Court wants to keep it,  
14 I'm not going to -- to object to that. But that is  
15 important because that was -- the mistrial was declared  
16 Friday, February 26th, 2010, and I immediately started the  
17 researching what they had done, what they had presented.  
18 And that includes something very objective. It's not I say,  
19 they said. A very important or three important key matters  
20 is that my false accuser was employed, and I had been trying  
21 to block her from going to work, that she was a single woman  
22 and just having boyfriends and that she was a highly  
23 educated person and that she was -- she was just having her  
24 friend's child and I -- and the demon horse [sic] scared the  
25 child or whatever.

1           The objective thing is that in a different case which  
2 she had brought against somebody else she testified under  
3 oath that she had been unemployed during that same period  
4 for which they falsely accused me of having blocked her from  
5 going to work.

6           She was also in the -- and that is deposition that I  
7 had to run and get from that other case. And one of the  
8 things that I had, you know, been trying to get reimbursed  
9 for, that what she admitted that she was unemployed during  
10 that period that she was still married and she had lied and  
11 said that she was divorced.

12           THE COURT: And for the record, that's the deposition  
13 of Teresa Ingram.

14           THE DEFENDANT: Yes, Your Honor. And I also got the  
15 deposition of Margarie Triffon later. It's not in this  
16 booklet but it's -- so what I'm saying, the lies and  
17 forgeries and fabrications against me are not a matter of  
18 credibility, are not a matter of I say, they say. They are  
19 matters of public record.

20           She claimed that she had been in the military for a  
21 year and a half. I FOI'd her veteran's record, and she had  
22 been in the reserve for only three weeks. She claimed that  
23 she had no -- that she was divorced. In fact, she was still  
24 married, and her husband is a major drug dealer from Sumter  
25 and also operated the chop shop. And one of the reasons I

1 took pictures when I saw them hooking other cars and towing  
2 them is to document, and it could have been that they could  
3 have towed my truck in my absence and chop shopped it.

4 She also falsely pretended that she was just there, but  
5 I also had to find records that she had been evicted. So,  
6 Your Honor, these add up to 353 objective lies. And I  
7 counted those from the testimony of Teresa Ingram in all  
8 353.

9 Now, granted every time she was asked the same question  
10 and repeated the perjury, I counted it. But it's not one or  
11 two, and that's the essence of the false case against me.

12 And also, for example, one of the matters she came  
13 along with Charlene Crouch and accosted me, and knowing that  
14 I'm a doctor they asked me for a prescription. And part of  
15 my research found that she is addicted to Vicodin and she  
16 had been later arrested with Vicodin without prescription.  
17 So I had to keep researching these. Some of them are from  
18 the expenses from the Richland County Sheriff's Department.  
19 Others are from SLED. And I'm saying I kept researching  
20 from the time that the mistrial until not just after the --  
21 the dismissal because it was the first degree was dismissed  
22 with prejudice. But David Fernanders said that he was going  
23 to bring -- I'm sorry. I want to make sure I spoke  
24 correctly. The first degree harassment charges were  
25 dismissed with prejudice. But David Fernanders argued that

1 that doesn't prevent him from bringing a warrant for second  
2 degree harassment. And as Your Honor knows, that there is  
3 no statute of limitations on any crime in South Carolina.  
4 So I had to continue researching because I was under threat  
5 of those false charges being brought against me.

6 THE COURT: And when -- when were the harassment  
7 charges dismissed?

8 THE DEFENDANT: The first degree were dismissed, thank  
9 God, on August 13th of 2012.

10 THE COURT: And there've been no subsequent charges  
11 brought at this particular time? There have been no  
12 subsequent charges brought? In other words, Mr. Hernandez's  
13 comments of we bring charges have not been brought to date,  
14 is that correct?

15 THE DEFENDANT: That's correct, but it doesn't mean  
16 that he can't.

17 THE COURT: I understand, I understand. But I'm just  
18 saying at this particular point. And so you continue to do  
19 research from -- from 2010 when the mistrial occurred up  
20 until 2012.

21 THE DEFENDANT: And sometime after that. I'm not  
22 continuing to do active research today, 2016, except  
23 occasionally I look at the public index.

24 And, Your Honor, I want to say something. My false  
25 accusers are human beings, and what the system told them is

1 it's okay to do wrong so long as you injure Dr. Faltas too  
2 when we let it slide. And look what happened to them. They  
3 didn't become wonderful people. They continued on life of  
4 worse and worse crimes. And I always said that regardless  
5 of the legal outcome I would lose, if I didn't make me lose  
6 my soul, if they make me stop loving my enemy. I love those  
7 people, but I have no permission to forgive them because  
8 they have not repented. And every time Jesus Christ said we  
9 must forgive it was conditioned on the wrongdoer repenting.  
10 But these people haven't repented and I -- you are part of  
11 the system, Judge. You are part of the system. You need to  
12 make the system better, at least to honor the suffering  
13 I've -- I've been through. I'm not obsessed with these  
14 people, but I need them to repent.

15 But let's go back to the other items. So I had to keep  
16 researching that for at least -- at least until the City of  
17 Columbia returned the seized material to me.

18 THE COURT: So, Dr. Faltas, so I understand the U.S.  
19 Postal Service charges were being about mailing information  
20 and so that's sort of either to the courts or to various  
21 agencies that you need to mail them to. I understand about  
22 the copy charges. But you have charges, for example, to the  
23 C.V.S. pharmacy.

24 THE DEFENDANT: Okay, okay, okay. Yes, Your Honor.  
25 And I thank you for reminding me, and also I needed to tell

1 you the charging to you U.S. District Court, one of the  
2 witnesses listed against me -- and did I give you the one  
3 that lines better?

4 THE COURT: Yes. You did.

5 THE DEFENDANT: Okay. Yeah. Narewski, Investigator  
6 Narewski.

7 THE COURT: Yes.

8 THE DEFENDANT: Okay. He had two or three cases  
9 against him that were for violence during arrest and for  
10 being verbally abusive during arrest. And he was one of the  
11 people.

12 Your Honor, he was somebody who stayed in my apartment  
13 to search it, and I have the videos. Narewski was -- and he  
14 went into my walk-in closet and farted, and that is on video  
15 that the Columbia Police Department made.

16 THE COURT: And those -- those are charges -- I see  
17 that you have a number with either ApexGraphix or through  
18 some other organization that would make copies of videos for  
19 you.

20 THE DEFENDANT: Yes, Your Honor, but the -- the  
21 charges, the U.S. District Court, was only to --

22 THE COURT: To research records relating to his court  
23 cases.

24 THE DEFENDANT: To Narewski and only -- only as far as  
25 his violence and his falsification of -- of research. And,

1 now, when they came to my apartment they took everything  
2 that is a picture, a recording, a video. They even  
3 desecrated my cherished recordings of my baby sister's first  
4 words. This had nothing to do with any potential case, and  
5 I have that in several transcripts. And of course I agree  
6 they should not have taken them. But, thank God, I had kept  
7 the negatives in a bank vault. So they have taken away all  
8 of the pictures that were printed and all of the C.D.s that  
9 I had made from the pictures, but/and they refuse to give  
10 them to me. And Your Honor knows that I -- you don't make  
11 any digital picture and focus on probative [sic]. So the  
12 charges at C.V.S. pharmacy and all of this were to take the  
13 negatives that I have kept in the bank vault and that they  
14 did not seize and to reprint them again.

15 Those to -- to refute the false claims that the  
16 pictures showed I'm a criminal and also because some other  
17 pictures are exculpatory to me. And they had taken all of  
18 them that were printed, but I still had the negatives. So  
19 this is -- and that are, you know, when things are moving  
20 from actual film to digital very few establishments still  
21 had film printing or printing from film. So C.V.S. and  
22 walgreens were the ones that still had them.

23 THE COURT: Now, let me ask you this, Dr. Faltas.

24 I see that on your -- on your itemization. For  
25 example, I'll just use one example. Sergeant Passmore,

1 copies of his being sued in federal court, \$30. would those  
2 also be -- would those charges also be reflected in the  
3 specific itemization that they say that you have with, like,  
4 U.S. District Court's -- their charges for \$5 here or twenty  
5 cents or fifty cents?

6 THE DEFENDANT: Yes.

7 THE COURT: Are those -- is that -- I just want to make  
8 sure they're not duplicates.

9 THE DEFENDANT: And that's -- and that's why I put it  
10 in the order, and I didn't think that Your Honor wanted to  
11 do the, you know, manual work. I thought you would just,  
12 you know, issue the ruling and let the -- the --

13 THE COURT: So, and so all of this has also been  
14 submitted to O.I.D. as well -- office of indigent defense.

15 THE DEFENDANT: I -- I did submit the actual receipt,  
16 but whether it's in this particular spreadsheet, I'm not  
17 sure, but, you know, it's --

18 THE COURT: And so let me make sure I understand.

19 what's the specific itemizations may not be -- may not  
20 be duplicates of what's on the -- what's on the front page.

21 THE DEFENDANT: Correct, correct. So, and these are  
22 only people who went from the witness list --

23 THE COURT: Yes.

24 THE DEFENDANT: -- of the prosecution.

25 THE COURT: Right. I understand that.

1 THE DEFENDANT: So, I mean, if they didn't call certain  
2 witness in one trial, it doesn't mean that they would not  
3 have called that witness if they had their -- had tried the  
4 case.

5 THE COURT: And I think you've explained, and I can  
6 readily look at, you know, there were 36 witnesses listed by  
7 the prosecution. The investigation that you conducted on a  
8 number of individuals as a result of being listed or as a  
9 result of allegations that they made that were false, which  
10 would include Dinah Mason, Larry Mason, Charlene Crouch and  
11 several others, and then in addition SLED reports that you  
12 were requesting on individuals, the court reporter  
13 transcripts, the film processing from the C.D., making C.D.s  
14 as well as the negatives from C.V.S. pharmacy and Walgreens,  
15 and then there's a dollar amount that says -- looks like you  
16 advanced to your own private investigator. Did you --

17 THE DEFENDANT: Correct. What had happened, Your  
18 Honor, is that Judge Cooper had authorized \$750, and that  
19 was before the trial, and that was even in the transcript  
20 when he set it for -- it was the transcript of  
21 February 5th of 2010. And I -- in it I complained. I said  
22 the prosecution isn't giving me the rap sheets and -- and he  
23 said she knows she has to. I said but she hadn't. And, in  
24 fact, I had to kind of crash the party when I learned that  
25 Judge Newman was going to be the trial judge. And he had

1 another case and a jury was out. And I'm not admitting to  
2 having done anything improper. I just went in and asked  
3 permission to address him and said the trial is next week, I  
4 still do not have discovery. And then the -- that  
5 investigator, she told me I have, you know, I've done the  
6 work for \$750 and I need more money. So -- so I did advance  
7 that money to her because I was, you know, on the eve of  
8 trial and -- and I had to do that.

9 THE COURT: And that amount that you have listed is  
10 \$200.

11 THE DEFENDANT: Yes, Your Honor. And I have the -- the  
12 canceled check for it, and I think I e-mailed it. But if I  
13 didn't, I still can. Excuse me. Some of the checks were  
14 written from my mother's checking account but that's --

15 THE COURT: Dr. Faltas, are there other expenses that  
16 you have incurred or that you're seeking reimbursement for  
17 that we haven't discussed?

18 THE DEFENDANT: I think we discussed the travel, the  
19 travel, for example, when -- when I asked for something  
20 for -- for records, claiming the records from the sheriff's  
21 department the -- they would -- I would have to go get them.

22 THE COURT: So the travel that you're talking about is  
23 a mileage reimbursement for going and picking up various  
24 items that you had to be gotten.

25 THE DEFENDANT: Yeah. And -- and that is in the

1 category too, and, again, I'm sorry. I'm still in the  
2 mind-set of, you know, letting the O.I.D. do the --

3 THE COURT: Sure. And I don't -- I just want to make  
4 sure that I understand what's being requested. I understand  
5 that despite the fact that I may -- that if I were to  
6 authorize payment that they would have to go through and  
7 prepare, but I just want to understand the categories of  
8 payments. I think we talked about the criminal histories;  
9 we talked about the transcripts; we talked about the media;  
10 we talked about, just mentioned, travel, telephone, fax and  
11 copying charges. We talked about the interest, that you're  
12 seeking the interest and --

13 THE DEFENDANT: Yeah. If I may, in the media -- in the  
14 media, yeah, there were several things.

15 First, there were charges that I had to pay from the  
16 City of Columbia for actually getting a C.D., for example,  
17 of a call to 9-1-1. And the -- the reason we are talking --  
18 and let me just say that there were other charges, other  
19 criminal, of course criminal charges, that ended in my favor  
20 that I had asked for expenses of those. Judge Barber denied  
21 it. Tristan Shaffer filed a motion for reconsideration.  
22 Judge Barber denied the reconsideration. Then Tristan  
23 Shaffer appealed it to the Court of Appeals. The Court of  
24 Appeals dismissed that appeal because the order was not  
25 final.

1           So I will be making another motion relative to those  
2 other charges, but the reason I am limiting those three  
3 charges -- the two harassment and the one unlawful use of  
4 telephone -- is that I was pro se from beginning to end on  
5 those, and they were completely ended in my favor.

6           So, oh, the -- the media. Part of it was sometimes  
7 they would give me things that were unclear but/and I had to  
8 pay to convert them to a format that was -- that was clear.

9           THE COURT: And so I think that -- I think we've  
10 covered all of those things, all of the subject matter for  
11 which you seeking to be reimbursed, have we not?

12          THE DEFENDANT: Yes, Your Honor.

13          In addition to that spreadsheet there were other  
14 transcripts that I recently got and I have the -- first of  
15 all, several of them were of the -- the rest of the  
16 transcript of the trial, of the general sessions trial,  
17 because the prosecution had ordered only the testimony part,  
18 and Judge Cooper ordered that I be given a copy of what the  
19 prosecution ordered at state expense. But then when they  
20 remanded it to the City of Columbia I had to get that part  
21 of the transcript to where the prosecution insisted that  
22 second degree is not a lesser included offense in first  
23 degree.

24          So -- so and I also obtained the transcript of several  
25 hearings before Judge Cooper in 2010 in which not only I but

1 also the public defender asked that the charges be dismissed  
2 because they have no merit or that they be expeditey tried.  
3 And at least I had to have the -- the transcript where the  
4 prosecution claimed that I am mentally ill and mentally  
5 incompetent to represent myself, and Judge Cooper denied  
6 even requesting a mental evaluation.

7 I, Your Honor, am mentally incompetent? Can you  
8 believe that? I mean, why should I not be offended? I  
9 mean, Judge Joe Anderson, the federal judge, when I first  
10 appeared before him 20 something years ago, he said I'm  
11 dazzled at your brilliance.

12 When I -- when I appeared before the judicial merit  
13 selection commission and had the courage to testify against  
14 the candidacy of current Chief Justice Pleicones he said Dr.  
15 Faltas is an incredibly intelligent person, and yet the --  
16 the prosecution had the depravity -- the depravity because  
17 it's not short of any word than depravity to go and say that  
18 I'm mentally ill and should not be allowed to represent  
19 myself.

20 THE COURT: And so copies of all of those transcripts  
21 are what you are seeking to be reimbursed for as well.

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: And part of that is what you're asking --  
24 you're asking that O.I.C. check their records of what  
25 they've already paid. Some may have been to Daphne Helms,

1 and there may have been other transcripts that were ordered  
2 that you're seeking reimbursement for?

3 THE DEFENDANT: Yes, Your Honor. Oh, I knew. I knew  
4 what they paid for and what they didn't because I know I  
5 paid the rest.

6 There was one more transcript, and that was a hearing  
7 before the Lykesland magistrate on November 9th of 2009.  
8 And in that one, for example, my false accuser, Teresa  
9 Ingram, in the trial she said that this child that she was  
10 illegally babysitting and, in fact, when I maybe can find  
11 the picture I showed she was -- I can prove that she was  
12 physically abusing that child. But, in any event, she said,  
13 oh, she's like my niece, she calls me auntie, I love her,  
14 she loves me. And when in the magistrate court I presented  
15 her with the same picture, I said do you know this child,  
16 and she said no. And I had the audio recordings. And, in  
17 fact, I had transcribed them by hand. But then and I also  
18 had subpoenaed Magistrate Davis to authenticate that he had  
19 reviewed my transcript by then and they were true to the  
20 audios. But the prosecution said no, no, no, we cannot use  
21 them.

22 It turned out that the prosecution had taken those same  
23 arguments [sic] and had them transcribed by a separate court  
24 reporter, and the prosecution stood in a court of law in  
25 what is supposed to be a temple of truth and elicited

1 perjury from my false accuser. Teresa is this girl like --  
2 like your -- yeah, like your niece, when she knew. And she  
3 had obtained the transcript where Teresa said I don't know  
4 this child. So I had to get a copy of -- from Compuscript  
5 of the transcript that -- that the prosecution had -- had  
6 gotten an original for. But since they are not official  
7 court reporter the rates were higher. But that particular  
8 one, Your Honor, I had specifically spoken to Mr. Ryan and  
9 told him this is the rate. And remember they kept on taking  
10 me to court several times, we're going to try it this time  
11 and I go, and they say, oh, no, we're not going to trial.  
12 So I had to get the copy of their transcript, and that was a  
13 large sum. It was \$800 or something. But, yes, and I got  
14 the additional transcripts and the -- the -- I think this is  
15 an original of it, and then I have those.

16 THE COURT: Dr. Faltas, you're saying this is not  
17 included in what you requested so far.

18 THE DEFENDANT: Yes, Your Honor. Correct, correct.  
19 (Pause for noise in the hall.)

20 THE COURT: And this is your only copy, Dr. Faltas?

21 THE DEFENDANT: Yes, Your Honor, if -- if that's okay.  
22 And I also have these, this other transcript, and all of  
23 those are ones that I paid, but then this is a refund, so  
24 these added minus this one.

25 THE COURT: And those have all been provided to me, or

1 is this the first time?

2 THE DEFENDANT: The first time I provided. But I  
3 receive -- should we evacuate the court? Always with  
4 something going on next door?

5 THE COURT: I think that was somebody who is coming  
6 down the hall from another place.

7 THE DEFENDANT: Oh, okay.

8 THE COURT: The holding cell is over here outside the  
9 doors.

10 THE DEFENDANT: Okay.

11 THE COURT: Dr. Faltas, have we covered all of these  
12 issues as it relates to the reimbursement?

13 THE DEFENDANT: I think, and I am going to put that out  
14 in a separate -- in a separate order and motion and ask Your  
15 Honor to consider it separately.

16 I think I should be reimbursed for the four years I  
17 stayed in a motel. And that doesn't come exactly under  
18 defense expenses, but since I'm before Your Honor I want to  
19 make a separate motion that it was very, very clear that  
20 those charges were false from the beginning. It was very,  
21 very clear from the beginning that the bond condition that I  
22 not return to my own apartment was violative of the Eighth  
23 Amendment from the beginning and even -- even after that  
24 they always knew that my false accuser, the landlady,  
25 doesn't even live in Richland County. She lives in Elgin in

1 Kershaw County. But my other false accuser, Teresa Ingram,  
2 she was evicted in the middle of March 2010, two weeks after  
3 she failed to get the first conviction against me. And even  
4 in a transcript before Judge Cooper, I told, I asked him,  
5 are they afraid that I would harass her memory or are they  
6 afraid that I would harass her shadow? She doesn't even  
7 live there any longer. Why should I not be allowed to  
8 return to my apartment?

9 THE COURT: And, Dr. Faltas, I'm going to include that  
10 within this. I'll be happy to consider a separate order but  
11 I don't -- and you can submit that, that invoice, and I'll  
12 treat it as part of this. So there's no need to file a  
13 separate motion.

14 THE DEFENDANT: Okay, okay, all right. I'll do that,  
15 Your Honor. And I do understand that we will be -- and I'm  
16 asking Your Honor to -- as the four years in the hotel to --  
17 that is an extension of the law, but I think it's a  
18 good-faith extension of the law and necessary. And, you  
19 know, I haven't been dilatory or anything.

20 And in another appearance before Judge Cooper I told  
21 him it's not as if I said, oh, how wonderful the Clarion is,  
22 I'm just going to stay there. First, they blackballed me.  
23 I couldn't rent in another apartment, and especially with  
24 the criminal charges against me. And the eve before my  
25 first arrest when I had the motion for preliminary

1 injunction before Your Honor, Larry Mason was on the stand,  
2 and I asked him why you don't want me to build on my own  
3 land. He said yes. And I said and you want me to be  
4 evicted from the apartment I rent from you. He said yes.  
5 And I said and you also won't give me a reference to rent  
6 somewhere else. He said yes. I said, well, then I would be  
7 homeless. And he said you would be homeless, it wouldn't  
8 bother me a bit. And that is in a transcript.

9 THE COURT: Yes, ma'am.

10 THE DEFENDANT: So -- so there was extreme malice in  
11 all of this. And so I think that it is a necessary  
12 development of the law to make that refundable.

13 And, again, it won't -- it may come, have to come, from  
14 the budget of the solicitor, from the budget of the state or  
15 from the budget of O.I.D., whoever. It's not coming from  
16 anyone's personal pocket. But it's the state who did that  
17 to me and the state should make me whole.

18 THE COURT: All right. And so, Dr. Faltas, I think I  
19 have all of the information on that particular -- on this  
20 particular motion.

21 THE DEFENDANT: Thank you.

22 THE COURT: I will tell you that I did not set aside  
23 the full afternoon to talk about your other motion.

24 THE DEFENDANT: Okay.

25 THE COURT: So what I would like to do is go ahead and

1 schedule a date now so that we know what it is to come back  
2 another time to talk about the motion that you want to lift  
3 Judge Barber and Judge Cooper's stay. And I'm going to do  
4 it before I'm no longer chief administrative judge and I'm  
5 going to ask if you can come on June the 7th.

6 THE DEFENDANT: God willing, so, yes, Your Honor.

7 THE COURT: That is a Tuesday. And if we set that at  
8 10:00 o'clock, then I can hear you on that particular motion  
9 at that time and I can allot -- I will allot two hours on  
10 that particular matter, and then I can address that.

11 I understand that you also have a pending P.C.R., and  
12 I'm not familiar at this particular point of the current  
13 status of that. I know it has been filed. I know that you  
14 made a request for appointment of counsel, and I think they  
15 usually do appoint counsel. I am as chief administrative  
16 judge responsible for corralling the P.C.R. cases, and so I  
17 do have a term that's coming up in which I have to set  
18 cases. Your case is a little too new to go on to that  
19 particular roster, so I'm trying to get some of the old ones  
20 done first. But I will inquire as to whether or not the  
21 state has filed a return on that and when I can expect or  
22 when you can expect -- the Court can expect that there'll be  
23 a return filed on that particular P.C.R. matter.

24 Generally, an attorney is not appointed until there is  
25 a return filed by the state. And then after that particular

1 point there's an attorney that's appointed to represent you.  
2 I don't -- I that there -- that that is done by appointment  
3 through a list in the clerk's office. I cannot tell you all  
4 of the attorneys on that list. I will endeavor to -- to  
5 find out who those individuals are to make sure that there's  
6 no conflicts with you so that we don't have to address any  
7 other issues.

8 THE DEFENDANT: Frankly, Your Honor, that the only  
9 reason I asked for appointment of counsel is that the  
10 Supreme Court is making me do that. But, of course as Your  
11 Honor knows, I get better results for myself than lawyers  
12 get for me, and I will be happy to proceed pro se if -- on  
13 that if you would let me.

14 It was filed on March 3rd, and since it was a result of  
15 a trial the -- the response is due within 90 days. I  
16 don't -- so it will be due by -- by June 3rd, I think, or  
17 June 2nd so because we have --

18 THE COURT: And I know that they have -- that the  
19 attorney general's office is having a change of persons who  
20 are handling P.C.R.s for Richland County. They have a new  
21 attorney who is going to be assigned, and I think it's  
22 effective -- I just got notice -- effective next week. So  
23 there will be a new attorney and I will find out from them  
24 what the status is of the cases that they have within their  
25 office.

1 THE DEFENDANT: Okay. Thank you, Your Honor.

2 I have made the -- you know, just to -- so they are  
3 available as a physical record, I have e-mailed those  
4 extracted transcripts from the hearing and --

5 THE COURT: Those are the copies of the things that you  
6 sent to me by e-mail? Is that what it is?

7 THE DEFENDANT: Yes, Your Honor. And so just to -- to  
8 make them part of the paper record.

9 THE COURT: And, Dr. Faltas, while you're looking at  
10 that what I am going to make a part of the record as a  
11 court's exhibit so it will be part of the record in this  
12 case, will be the reprint itemization that you passed up, as  
13 well as the invoice from Karen Ambroziak, as well as the  
14 copies of checks.

15 What I will do is I'll make the court reporter checks,  
16 as well as the refund from Daphne Helms, and the cashiers'  
17 checks, I'll make all of that Exhibit No. 2. And for the  
18 record, that's seven pages. That will be Exhibit No. 2.

19 Exhibit No. 1 will be the corrected format of the four  
20 pages of the -- regarding the itemization of your expenses.  
21 That will be Exhibit No. 1. And then the bundled document  
22 that you gave that has various documents but it's all --

23 THE DEFENDANT: It's a booklet.

24 THE COURT: It's bound.

25 THE DEFENDANT: Yes.

1 THE COURT: And it starts off with your -- it says  
2 defendant's amended motion of the filing of a document  
3 booklet. That will be Exhibit No. 3.

4 (Expenses marked Court's Exhibit No. 1; court reporter  
5 bill marked Court's Exhibit No. 2; documents marked Court's  
6 Exhibit No. 3.)

7 THE COURT: A 40-page transcript of the proceedings  
8 before Judge Cliff Newman dated February 22nd of 2010, I'll  
9 make that Exhibit No. 4.

10 (Transcript before Judge Newman on February 22, 2010,  
11 marked Court's Exhibit No. 4.)

12 THE COURT: A 25-page transcript of record before Cliff  
13 Newman on February the 23rd of 2010 that has some  
14 highlighting on it, I'll make that Exhibit No. 5.

15 (Transcript before Judge Newman on February 23, 2010,  
16 marked Court's Exhibit No. 5.)

17 THE COURT: And the transcript of record before me,  
18 Alison Lee, dated December the 13th of 2013, it is a 25-page  
19 transcript as well, I'll make that Exhibit No. 6.

20 (Transcript before Judge Lee on December 13, 2013,  
21 marked Court's Exhibit No. 6.)

22 THE DEFENDANT: Thank you, Your Honor.

23 I was wanting to offer the videos that the Columbia  
24 Police Department made of my arrest on December 2nd of 2009,  
25 and they proved that they took from my apartment all of the

1 pictures and all of the C.D.s, and they justified that I had  
2 to go and print from the negatives that I had in the bank  
3 vault the others.

4 THE COURT: And so, as I understand it, these videos  
5 formulate the basis for which you're seeking reimbursement  
6 from C.V.S. and Walgreens.

7 THE DEFENDANT: Yes, Your Honor, among other things.  
8 And, again, I would want them as proof of the depravity of  
9 what was done to me, so.

10 THE COURT: Okay. These are three discs dated  
11 December 2, 2009, entitled ransacking and robbery. And how  
12 about if I make them collectively Exhibit No. 7?

13 THE DEFENDANT: Thank you.

14 (DVDs marked Court's Exhibit No. 7.)

15 THE DEFENDANT: And then if it pleases the Court if --  
16 as you allowed me -- I had stayed in Providence Hospital not  
17 as a patient but in their house when I was not -- for ten  
18 days or so -- and so I bring a supplement that is the bill  
19 for that, and if we can make that Exhibit 8. And then I  
20 stayed in the Clarion Hotel for about four years. And I  
21 have a printout of my itemized -- or I can put the first  
22 page and the last page. And it's roughly a hundred thousand  
23 dollars. And I make that, if it pleases the Court,  
24 Exhibit 9. I don't have them with me, but as I understood  
25 Your Honor's direction, that I may supplement with those.

1 THE COURT: Yes. But you'll supplement, and if you  
2 provide me a hard copy of the supplement --

3 THE DEFENDANT: Okay.

4 THE COURT: -- then I will have that added as a  
5 supplement, and we'll make a sticker for Exhibit No. 9, and  
6 then we'll get that verified when I receive it.

7 THE DEFENDANT: And Exhibit 8 from the Providence  
8 Hospital. I stayed in their Bruner House for ten days. And  
9 the additional depravity, Your Honor, is that the City of  
10 Columbia went to them and told them, told the Sisters of  
11 Mercy, if you keep Dr. Faltas here we're going to revoke  
12 your license to maintain the Bruner House. It was exactly  
13 before Christmas and it was another virgin being put out of  
14 the street on Christmas. But the Virgin Mary, Mother of  
15 Christ, could go to Egypt and find refuge there. I had no  
16 refuge. I was made homeless by the Sisters of Mercy under  
17 threat from the City of Columbia on Christmas Eve.

18 THE COURT: And I will add that when you send that form  
19 or that itemization. I'll have that entered as Exhibit  
20 No. 8 as well.

21 THE DEFENDANT: Thank you.

22 THE COURT: Dr. Faltas, I'll wait if you can get that  
23 information to me within the next week and I'll -- actually,  
24 if you can do it before Friday, that way while I still have  
25 this particular court reporter here --

1 THE DEFENDANT: Yes.

2 THE COURT: -- we can go ahead and get the stickers put  
3 on and verify it.

4 THE DEFENDANT: Yes.

5 THE COURT: And then I will review all of the  
6 information and I will issue a written order. I will try to  
7 do that as quickly as possible.

8 THE DEFENDANT: Thank you.

9 THE COURT: But I can tell you it may not happen until  
10 later, like the first part of July.

11 THE DEFENDANT: Your Honor, did you say you're going to  
12 be chief administrative judge only for a short period?

13 THE COURT: Effective July 1st I will no longer be  
14 chief administrative judge.

15 THE DEFENDANT: Who will be?

16 THE COURT: For civil it will be Judge Benjamin; for  
17 criminal it will be Judge McMahon.

18 THE DEFENDANT: From Lexington?

19 THE COURT: From Lexington.

20 THE DEFENDANT: Okay. Well, Judge Benjamin, we know,  
21 is recused, and so can I not -- and I don't know if Judge  
22 Newman thinks he's recused or not. But we need to decide if  
23 anything comes up if they would assign Your Honor.

24 THE COURT: I don't -- I'm aware that Judge Benjamin  
25 has several matters for which she is recused, and I

1 mentioned that to her.

2       The way the chief administrative positions work is that  
3 the chief -- it's supposed to be if the chief of civil is  
4 not available, then the chief of criminal takes over those  
5 duties, and vice versa. And so because she still does not  
6 hear City of Columbia matters -- she's recused from all of  
7 those so that -- it's part of her duties. That's part of  
8 the discussion that I will have with her as she takes over  
9 so that she can make sure that she and Judge McMahon are  
10 well aware that he will end up being responsible for  
11 handling some of the matters that she's recused on.

12       THE DEFENDANT: Thank you, Your Honor. What about  
13 Judge Newman there? Is he --

14       THE COURT: He is here until July 1st, and then  
15 July 1st he will no longer be chief.

16       THE DEFENDANT: Okay, okay.

17       THE COURT: That's when Judge McMahon comes in.

18       THE DEFENDANT: Thank you, Your Honor. Thank you.

19       And, Your Honor, may I say that it was a travesty that  
20 Your Honor's nomination to the federal bench didn't go  
21 through.

22       THE COURT: I appreciate it. Thank you very much.  
23 And, with that, I believe we are concluded and we can go off  
24 the record.

25       END OF REQUESTED TRANSCRIPT OF RECORD

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CERTIFICATE

I, the undersigned Linda D. Moffitt, Official Court Reporter for the Seventh Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of all the proceedings had and evidence introduced in the trial of the captioned cause, relative to appeal, in the General Sessions Court for Richland County, South Carolina, on the 18th day of May 2016.

I do further certify that I am neither of kin, counsel nor interest to any party hereto.

June 23, 2021

s/Linda D. Moffitt  
\_\_\_\_\_  
Linda D. Moffitt  
Circuit Court Reporter