

CITY OF COLUMBIA, Respondent

v.



Defendant/Appellant's URGENT Motion to Relieve Dan Addison

Marie Assa'ad-Faltas, MD, MPH, Appellant

Defendant/Appellant Marie Assa'ad-Faltas, MD, MPH ("Dr. Assa'ad-Faltas" or "Dr. Faltas") hereby *timely* and urgently moves this Court to relieve Dan Addison as he has been *intentionally* sabotaging her case below, losing it on purpose, and **has refused to either move to be relieved by this Court or to respond to this Court's 25 April 2022 deficiency letter, the response to which is due, God willing, on Monday 4 April 2022.** Instead of filing the required formal responses, Dan Addison reported talking *ex parte* to Jenny Kitchens and to V. Claire Allen and reported being instructed by them on unlikely procedures. Additionally, Dan Addison sought to be relieved by *SC Circuit Judge Brown* **after the latter's jurisdiction over the case ended by the filing of this appeal and after it was explained to Dan Addison that he needs to move to be relieved by this Court, which he refused to do without explanation.**

SC Circuit Judge Brown no longer has jurisdiction *over this case* or the case below since it is now on appeal. Therefore, Dr. Assa'ad-Faltas is allowed by SC's Supreme Court's 27 September 2017 ORDER to move to relieve counsel so long as she had good reason to do so. She had *excellent* reason to do so in that Dan Addison is neglecting to respond to the time-sensitive deficiency letter and thus risks getting this appeal totally dismissed.

Sincerely submitted and served by e-mail and by hand-delivery on Mr. Marshall James, counsel for the City of Columbia, and on Dan Addison by e-mail and U.S. mail, all on 1 April 2022, all God so willing.



s/Marie Assa'ad-Faltas, MD, MPH, Defendant/Appellant *pro se*

P.O. Box 9115, Columbia, SC 29209

Phone: (803) 783-4536 Cell: (330) 232-4164

e-mail: Marie.Faltas@hotmail.com

and MarieAssaadFaltas@GMail.com

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RE: I see SC Circuit Judge Brown is scheduled for the 5th Cir on 31 March 2022 "am" BUT I have no idea what time and I see NO NOTICE on any of my cases.

Dan Addison <DAddison@hallboothsmith.com>

Wed 2022-03-30 3:16 PM

To: Marie Faltas <marie_faltas@hotmail.com>

Cc: Marie Assa'ad-Faltas <marieassaadfaltas@gmail.com>; Saxon, Jessica <jsaxon@sccid.sc.gov>; James, Marshall S <Marshall.James@columbiasc.gov>; Robert Michael Dudek <rdudek@sccid.sc.gov>

Dr. Faltas – I just spoke with Judge Brown’s clerk and clarified the link for the Webex procedure. The matter is still set for tomorrow at 9 am. You will receive a link invite around 8 am to 8:30 in the morning to allow you to join the Webex meeting Motion hearing. You will not receive anything else from the court before that time. As required, I have informed you of this motion hearing time as scheduled. Your appearance has been approved by Judge Brown, and he will send you the link as indicated.

Dan Addison

Attorney at Law | Hall Booth Smith, P.C.



O: 843.720.3460

111 Coleman Boulevard, Suite 301

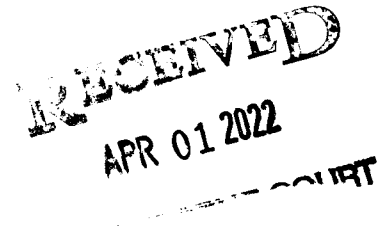
D: 843.720.3485

Mount Pleasant, SC 29464

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From: Marie Faltas <marie_faltas@hotmail.com>

Sent: Wednesday, March 30, 2022 3:04 PM

To: Dan Addison <DAddison@hallboothsmith.com>

Cc: Marie Assa'ad-Faltas <marieassaadfaltas@gmail.com>; Saxon, Jessica <jsaxon@sccid.sc.gov>; James, Marshall S <Marshall.James@columbiasc.gov>; Robert Michael Dudek <rdudek@sccid.sc.gov>; tex.davis@dss.sc.gov; Young, Hervery <hyoung@sccid.sc.gov>; hryan@sccid.sc.gov; Timothy L. Griffith <tlgriffith@tlgriffith.com>; dzelenka@scag.gov; wblitch@scag.gov; cwaters@scag.gov; April Sampson <sampsona@rcgov.us>; Mark Schnee <schneelawfirm@gmail.com>; hweiss@scag.gov

Subject: Re: I see SC Circuit Judge Brown is scheduled for the 5th Cir on 31 March 2022 "am" BUT I have no idea what time and I see NO NOTICE on any of my cases.

I still have NOT received any links; I STILL think SC Circuit Judge Brown has no jurisdiction to relieve you from the Court of Appeals case; **and I still think this is a set-up to frame me for direct contempt** because y'all never cease to want to harm me even though it destroys what soul you have left.

Messers. Zelenka and Blicht are copied because, as prosecutors, they should know that fabricating more criminal charges to get unfair advantage in one set of charges is unethical. The strange timing of that hearing is one day ahead of my due 1 April 2022 submission to SC's Supreme Court in SC Appellate Case 2021-000815, which Mr. Zelenka is prosecuting with Mr. Blicht second chairing. Also, Mr. Tex Davis is copied because he should report himself to ODC for having, over a year or more advised Dan Addison on how to work against the latter's own client while avoiding a grievance.

Messers. Ryan and Zelenka, and SC's Supreme Court already have evidence of how a previous stand-by counsel, April Sampson, worked against me, and of how another previous stand-by counsel, Mark Schnee, worked against me while pretending his "ethics" so required, when he was so unethical he got disbarred.

FOLLOW UP.

From: Dan Addison <DAddison@hallboothsmith.com>
Sent: Wednesday, March 30, 2022 1:19 PM
To: Marie Faltas <Marie_Faltas@hotmail.com>
Subject: RE: I see SC Circuit Judge Brown is scheduled for the 5th Cir on 31 March 2022 "am" BUT I have no idea what time and I see NO NOTICE on any of my cases.

Judge Brown's clerk s sending you a Webex link today. The hearing is tomorrow at 9 am by Webex, virtual court. It is for my motion to be relieved. That is the only issue for the hearing

Dan Addison

Attorney at Law | Hall Booth Smith, P.C.



O: [843.720.3460](tel:843.720.3460)
D: [843.720.3485](tel:843.720.3485)

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From: Marie Faltas <Marie_Faltas@hotmail.com>
Sent: Wednesday, March 30, 2022 10:45 AM
To: Dan Addison <DAddison@hallboothsmith.com>
Cc: Marie Assa'ad-Faltas <marieassaadfaltas@gmail.com>; James, Marshall S <Marshall.James@columbiasc.gov>; Saxon, Jessica <jsaxon@sccid.sc.gov>; Robert Michael Dudek <rdudek@sccid.sc.gov>; Timothy L. Griffith <tgriffith@tgriffith.com>; Young, Hervy <hyoung@sccid.sc.gov>; hryan@sccid.sc.gov
Subject: I see SC Circuit Judge Brown is scheduled for the 5th Cir on 31 March 2022 "am" BUT I have no idea what time and I see NO NOTICE on any of my cases.

Repeating the subject line: **I see SC Circuit Judge Brown is scheduled for the 5th Cir on 31 March 2022 "am" BUT I have no idea what time and I see NO NOTICE on any of my cases.**

I still this as a new set up for Dan Addison to have an excuse to not respond to the 25 March 2022 deficiency letter in 2022-000339 and get it dismissed **and/or** to set me up for new contempt of court. **Again, someone PLEASE FOLLOW UP and tell me: (1) which, if any, of my cases this pertains to? (2) if so, what time "am"? (3) if and when I shall, God willing, get an invitation to that WebEx hearing? and (4) if I may invite observers?**

Thanks and again FOLLOW UP.

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

City of Columbia,

v.

Marie-Thérèse Assa'd-Faltas,

Defendant.

) IN THE COURT OF COMMON PLEAS
) FIFTH JUDICIAL CIRCUIT
) C/A No. 2019-CP-40-01374
)
)
)
) **NOTICE OF MOTION TO BE**
) **RELIEVED AS COUNSEL**
)
)
)

TO: MARIE ASSAD-FALTAS, DEFENDANT:

YOU WILL PLEASE TAKE NOTICE that the undersigned counsel, R. Daniel Addison, Esq., of Hall Booth Smith, P.C. (Hereafter "Addison"), will move immediately for an Emergency Hearing before the Hon. Craig Brown, presiding judge for the Fifth Judicial Circuit, Richland County Court of Common Pleas, South Carolina, for an order relieving him as counsel for the Defendant in the above captioned matter.

The grounds for this motion are as follows:

1. Addison was appointed, per Rule 608 of the SC Appellate Court Rules, as counsel for defendant by letter of appointment, dated September 20, 2019, citing an Order of the Chief Administrative Judge for the Court of Common Pleas for Richland County (no Judge named in the letter).
2. The appointment was for the referenced matter of City of Columbia v. Marie Assa'ad Faltas, 2019-CP-40-1374, an appeal by Faltas from the magistrate court to the Circuit Court.
3. In September 2019, Addison practiced law in Columbia SC in his own law firm, Addison Law Group, with the firm's principal and only office located in Richland County.

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4. Addison provide advice counsel and prosecution of defendant's appeal to the circuit court, including a hearing to force a return to be issued by the lower court magistrate, all while still practicing law in Richland County
5. In March of 2020, Addison closed Addison Law Group, and became an attorney with Hall Booth Smith, P.C., a law firm with offices only in Mt. Pleasant, SC, in Charleston County.
6. Addison no longer primarily practiced in Richland County, and primarily practiced in Charleston County as of March 1, 2020.
7. Addison continued to provide duties as appointed counsel to Faltas up through a final hearing on her appeal before Judge Brown in January 2022. Addison attend oral arguments for Faltas with Judge Brown on January 28, 2022, in Columbia SC at the Richland County Courthouse.
8. On February 9, 2022, Judge Brown issued his Order, affirming in full the lower court ruling in its entirety.
9. Defendant Faltas has indicated a desire to appeal this ruling to the Court of Appeals.
10. Addison has completed the requirements of his appointment under Rule 608, in representing the Defendant in her appeal at the Circuit Court.
11. Requiring Addison to remain as appointed counsel for any appeal to the Court of Appeals and beyond places an undue burden on Addison, as he is no longer a member of the Bar in District 5 under Rule 608, the pool of attorneys the court is to draw from in appointments under Rule 608. Rule 608(g) would require the appointment of a different attorney from District 5, which is Richland County among other others not including Charleston County. Furthermore, the distance of the travel from Charleston to Columbia is onerous and an undue burden to Addison.

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12. Addison respectfully request that the Court relieve him from the appointed counsel role in this matter, and direct the court staff to appoint a new attorney of record such as to satisfy the requirements of the standing Supreme Court Order regarding Faltas and her inability to appear Pro Se in any matter before the Courts, and to protect her rights to appeal this matter to the Court of Appeals prior to the appeal deadline of March 10, 2022.

By copy of this Motion, the Petitioner is notifying all parties of the relief requested herein.

Respectfully submitted,

s./R. Daniel Addison
R. Daniel Addison, Esq.
Hall Booth Smith, PC
111 Coleman Blvd., Ste. 301
Mount Pleasant, SC 29464
(843) 720-3489
daddison@hallboothsmith.com

February 18, 2022
Mount Pleasant, SC

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