

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Marie Assa'ad-Faltas MD MPH for herself)
and qui tam and Ex Rel the Government of)
the Arab Replublic of Eygpt (Egypt) and as)
founder and first member of Doctors)
Against Drunk Drivers (DADD); Orthodox)
Christians Against Executions (OCAE);)
Sojourners Against Xenophobia (SAX),)

Plaintiff,)

C/A No.: 3:12-1786-TLW-SVH

vs.)

State of South Carolina (SC); Nimrata R.)
Haley, as SC's Governor; Alan Wilson, as)
SC's Attorney General; Glenn McConnel,)
as SC's Lieutenant Governor; John)
Courson, as President pro tempore of SC's)
Senate; SC's General Assembly; SC's)
Judicial Merit Selection Commission,)
JMSC; Jean Toal, as administrative head)
of all SC's state courts; Daniel Shearouse,)
as Clerk of SC's Supreme Court; Tanya)
Gee, as Clerk and Deputy Clerk of SC's)
Court of Appeals; V. Claire Allen, as)
Clerk and Deputy Clerk of SC's Court of)
Appeals; Mark Keel, as Chief of SC's State)
Law Enforcement Division (SLED); Leroy)
Smith, as Head of SC's Department of)
Public Safety; Leon Lott, as Sheriff of)
Richland County SC and Warden of the)
Alvin S. Glenn Detention Center (ASGDC);)
Gafford Thomas Cooper, Jr, as SC's Fifth)
Judicial Circuit's Administrative Judge for)
General Sessions; Daniel Johnson, as SC's)
Fifth Judicial Circuit's Solicitor, Gary)
Watts, as Coroner for Richland County SC;)
Jeanette McBride, as Richland County's)
Clerk of Court; Leslie Coggiola, as SC's)
Disciplinary Counsel; Roslynn Frierson, as)
Director of SC's Office of Court)
Administration; William Nettles, as US)

Attorney for the District of South Carolina)
 (DSC); Steven Benjamin, as Mayor and all)
 members of the City of Columbia ("the)
 city") Council; Steve Gantt, manager for the)
 City; Dana Turner, falsely bearing a title of)
 Chief Administrative Judge of the City's)
 Municipal Court (CMC); Randy Scott,)
 falsely bearing a title of the City's Chief of)
 Police; Marion Hanna, falsely bearing the)
 title of CMC judge; Ken Gaines, supposed)
 attorneys for the City and all of their)
 subordinates who intend to injure Plaintiff;)
 Robert G. Cooper, supposed attorneys for)
 the City and all of their subordinates who)
 intend to injure Plaintiff; Dana M. Thye,)
 supposed attorneys for the City and all of)
 their subordinates who intend to injure)
 Plaintiff; David A. Fernandez, supposed)
 attorneys for the City and all of their)
 subordinates who intend to injure Plaintiff,)
)
 Defendants.)
 _____)

ORDER

Plaintiff Marie Assa'ad-Faltas ("Plaintiff"), proceeding pro se and in forma pauperis, brings this action seeking "injunctive and qui tam relief." (Doc. # 1, Doc. # 10). The matter now comes before this Court for review of the Report and Recommendation ("the Report") filed on November 14, 2012 by Magistrate Judge Shiva V. Hodges, to whom this case was previously assigned. (Doc. # 41). Plaintiff filed objections to the Report on December 3, 2012. (Doc. # 45). Also before this Court is Plaintiff's combined motion for extension of time to supplement her objections to the Report and for leave to file the supplement and all future documents electronically (Doc. # 44), filed on December 3, 2012.

In the Report, the Magistrate Judge recommends dismissing the case without prejudice and without issuance and service of process, and denying the Plaintiff's motion to designate a

three-judge panel from outside South Carolina (Doc. # 14). In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections.... The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in Wallace, the Court has reviewed, *de novo*, the Report and the objections. After careful review of the Report and objections thereto, the Court hereby **ACCEPTS** the Report. (Doc. # 41). The Plaintiff's objections are **OVERRULED**. (Doc. # 45). The Plaintiff's case is **DISMISSED** without prejudice and without issuance and service of process, and the Plaintiff's motion to designate a three-judge panel from outside South Carolina (Doc. # 14) is **DENIED**.

**COMBINED MOTION FOR EXTENSION OF TIME AND FOR LEAVE TO FILE
ELECTRONICALLY**

Regarding the motion for extension of time, Rule 6 of the Federal Rules of Civil Procedure permits the Court to grant, for good cause, a motion for extension of time made before the original time expires. The Court has carefully reviewed the Plaintiff's motion for extension of time (Doc. # 44) and finds no good cause for granting an extension of time. Therefore, the motion for extension of time is **DENIED**. Regarding the motion for leave to file electronically,

in light of the dismissal of the Plaintiff's case, the Plaintiff's motion for leave to file electronically (Doc. 44) is **DENIED** as moot.

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

December 7, 2012
Florence, South Carolina