

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
Appellate Case No. 2014-002346

APPEAL from RICHLAND COUNTY Court of Common Pleas
Alison Renée. Lee, Circuit Court Judge
Circuit Court Case No. 2013-CP-40-03525

RECEIVED

JAN 16 2015

SC Court of Appeals

City of Columbia, South Carolina,

Respondent,

v.

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

Appellant.

**APPELLANT'S Petition for this Court *en banc* to Rehear and Reverse
Chief Judge Few's January 9, 2015 ORDER Dismissing this Appeal**

By her undersigned counsel, Appellant Marie-Thérèse Assa'ad-Faltas, MD, MPH, prays this Court *en banc* to rehear and reverse its Chief Judge Few's January 9, 2015 ORDER dismissing this matter and to rehear and reverse Chief Judge Few's previous orders in this matter. Further, the undersigned Orin G. Briggs, hereby disavows any prior or present intent to take any action contrary to Rule 1.16 (b)(1) of the SC Rules of Professional Conduct for Lawyers, Rule 407, SCACR, which provides irrelevant part:

- (b) Except as stated in paragraph (c), a lawyer may withdraw from representing a client if:
(1) withdrawal can be accomplished without material adverse effect on the interests of the client;

Chief Judge Few erred in relieving Dr. Assa'ad-Faltas' volunteer counsel on appeal against the will of both client and counsel and in contravention of Rule 264, SCACR, which provides *in toto*: [with emphasis added]

SUBSTITUTION OF ATTORNEYS OR GUARDIANS

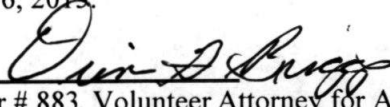
(a) **Continued Representation.** The attorneys and/or guardians *ad litem* of the respective parties in the court below shall be deemed the attorneys and guardians of the same parties in the appellate court until withdrawal is approved and notice is given as provided in this Rule.

(b) **Withdrawal.** An attorney of record in a matter pending before an appellate court may not withdraw from representation of his client *without* justifiable cause, *or the consent of his client*; and *then only after proper written notice to his client*, on petition to and by written order of the appellate court, and with notice to the adverse party.

Amended by Order dated January 29, 2009, effective April 29, 2009, by Order of the same date.

WHEREFORE, this appeal should be reinstated

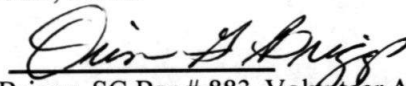
Respectfully submitted on January 16, 2015.


Orin G. Briggs, SC Bar # 883, Volunteer Attorney for Appellant
240 Heritage Trail, Lexington, SC 29072
(803) 957-4383

CERTIFICATE OF SERVICE

I certify that, on January 16, 2015, this document was served, by personal delivery of a copy thereof to the City Attorney for the City of Columbia, Attorney for Respondent, at her office located at 1401 Main Street, Columbia, South Carolina, 29201, as proven by the below declaration under penalty of perjury of Marie-Thérèse Assa'ad-Faltas, MD, MPH.

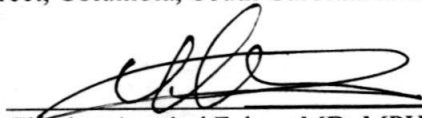
January 16, 2015


Orin G. Briggs, SC Bar # 883, Volunteer Attorney for Appellant

DECLARATION UNDER PENALTY OF PERJURY AS PROOF OF SERVICE OF PETITION IN THIS APPEAL

I declare under penalty of perjury that, on January 16, 2015, God so willing, the foregoing Petition in the above-captioned matter was served, by personal delivery of a complete copy thereof with and all attachments thereto, if applicable, to the respective office of the City Attorney for the City of Columbia, Attorney for Respondent, at her office located at 1401 Main Street, Columbia, South Carolina 29201

And further declarant saith not on January 16, 2015.


Marie-Thérèse Assa'ad-Faltas, MD, MPH

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