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THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

RECEIVED

JUN 10 2015

SC Court of Appeals

Case No. 2014-002661

John M. English,

Appellant,

v.

Ellen Sexton,

Respondent.

MOTION TO BE RELIEVED

AS COUNSEL

John E. White, Jr.

5305 Sumters Run

North Charleston, South Carolina 29418

(843) 327-0850

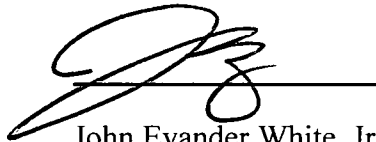
Attorney for Appellant

TO: APPELLANT AND HIS COUNSEL, DAVID M. COLLINS, ESQUIRE,

PLEASE TAKE NOTICE that, on the 10th day hereafter or at such other time as the Court may direct, or, in the alternative, without a hearing if this Court should find that no hearing shall be required, Respondent John Evander White, Jr. shall move before this Court and does hereby move before this Court pursuant to Rule 264, South Carolina Rules of Appellate Procedure, for an order of this Court relieving Respondent as counsel for Appellant.

The grounds for this motion are that (a) the Appellant no longer requires Appellant's services as counsel; (b) Appellant has other counsel to represent him now; and, (c) in the appeal before this Court, Appellant has made his interests and Movant's interests unavoidably adverse to each other by his appeal of the Lower Court's order for Appellant to pay Movant's attorney's fees.

June 8, 2015

A handwritten signature in black ink, appearing to read 'J. White, Jr.', is written over a horizontal line.

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Respondent.

MEMORANDUM IN SUPPORT OF

MOTION TO BE RELIEVED

AS COUNSEL

John E. White, Jr.

5305 Sumters Run

North Charleston, South Carolina 29418

(843) 327-0850

Attorney for Appellant

Movant believes that he is required to withdraw as counsel for Appellant.

Movant must move to be relieved as counsel for Appellant:

At the time that Movant, John E. White, Jr., filed his motion petitioning the Lower Court for its order to protect his fees, Movant and David A. Collins, Esquire were co-counsel of record for Appellant John M. English. Appellant's case had been settled and the remaining issues before the Lower Court were concerned with how Appellant's remaining funds from his settlement were to be disbursed.

The Lower Court granted Movant's motion to protect his attorney's fees and ordered the balance due to Movant be paid from the portion of Appellant's recovery which was still in Mr. Collins trust account. The Lower Court did not rule upon Movant's motion to be relieved as counsel (referenced at pages 4-5 of the Transcript).

Appellant appealed the Lower Court's order. Appellant's appeal contests the Lower Court's order requiring him to pay Respondent Ellen Sexton for the automobile Appellant had in his possession and had been driving for the last several years. It also contested the Lower Court's order to pay Movant's attorney's fees. Accordingly, the interests of Appellant and the interests of Movant are necessarily adverse and Movant believes he must withdraw as required by Rule 1.7 of the Rules of Professional Conduct, Rule 407 SCACR.

Movant's withdrawal as counsel for Appellant would not prejudice Appellant:

It should be noted that Movant completed his services for Appellant by obtaining recovery in the two cases which are the subject of this appeal. In fact, Appellant's initial brief, at page 3, refers to Movant as Appellant's "former attorney".

CONCLUSION

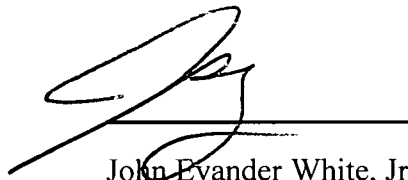
Appellant believes his interests have become adverse to the interests of the Appellant in this appeal. Additionally, the facts that:

- (1) Appellant has obtained his recovery; and,
- (2) Appellant no longer intends to use Movant's services any further in this matter; and,
- (3) Appellant now has other counsel

are evidence leading to the conclusion that Appellant would not be prejudiced by the granting of Movant's motion.

It is respectfully submitted that Movant's motion to be relieved as counsel should be granted.

June 8, 2015



John Evander White, Jr.

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North Charleston, South Carolina 29418

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STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Case No. 2014-002661

Case Number 2010-CP-10-7241

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SC Court of Appeals

John M. English,

Appellant

v.

Ellen Sexton,

Respondent.

PROOF OF SERVICE

I certify that I served the Respondent's Motion to be Relieved as Counsel and Memorandum in Support of Motion to Be Relieved as Counsel upon Appellant and all other counsel of record by depositing a copy thereof in the United States mail, postage prepaid, on June 8, 2015, addressed as follows:

David A. Collins, Esquire

Post Office Box 40978

North Charleston, SC 29423

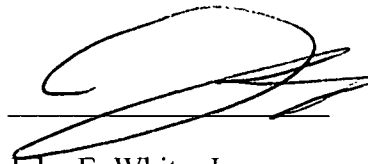
G. Thomas Hill, Esquire

6209 Savannah Highway

Ravenel, SC 29470

Karen M. DeJong, Esquire
940 Johnnie Dodds Blvd., Ste 203
Mt. Pleasant, SC 29464

June 8, 2015

A handwritten signature in black ink, appearing to read "John E. White, Jr.", written over a horizontal line.

John E. White, Jr.

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North Charleston, South Carolina 29418

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THE WHITE LAW FIRM, LLC

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Email: vanwhitelaw@live.com

June 8, 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1013 Sumter Street
Columbia, South Carolina 29201

RECEIVED

JUN 10 2015

SC Court of Appeals

RE: John M. English v. Ellen Sexton
Case No. 2014-002661
Lower Court Case No. 2010-CP-10-7241

Dear Ms. Kitchings:

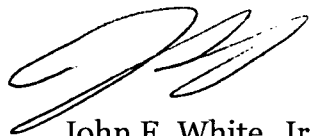
Please find enclosed herewith my check for the motion filing fee and the original and 7 copies of the following:

1. Motion to be Relieved as Counsel
2. Memorandum in Support of Motion to be Relieved as Counsel
3. Proof of Service

Please file the original and 6 copies of each and please return one copy to me in the self-addressed, stamped envelope provided. Should you have any questions or concerns, please do not hesitate to contact me.

Thank you.

Sincerely,



John E. White, Jr.

cc: David A. Collins, Esq.
G. Thomas Hill, Esq.
Karen M. DeJong, Esq.