

85089

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Alison Renee Lee, Circuit Court Judge

Case No. 2016-CP-40-02393  
Appellate Case No. 2017-002289

**RECEIVED**  
NOV 08 2017  
SC Court of Appeals

Miriam H. Samuel,  
Appellant,  
v.  
Lynne N. Johnson,  
Respondent.

MOTION TO RELIEVE COUNSEL

PLEASE TAKE NOTICE that the undersigned requests this Court order that William M. Saltzman of Merritt, Webb, Wilson & Caruso, PLLC be relieved as attorney for the Appellant, Miriam Samuel, in the above referenced appeal.

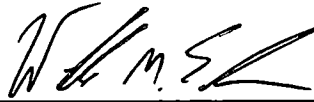
Movant makes this Motion for the follow reasons:

- 1) The law firm of Merritt, Webb, Wilson & Caruso, PLLC and William M. Saltzman were not retained by Appellant to represent Appellant with the appeal.
- 2) The undersigned represented Appellant in the lower court. The trial concluded on October 5, 2017. The undersigned sent a letter to Appellant on October 11, 2017 disengaging from the representation and notifying Appellant that the undersigned and Merritt, Webb, Wilson & Caruso, PLLC would not represent Appellant for an appeal. See attached Exhibit A.
- 3) The undersigned did not prepare, sign, or file the Notice of Appeal. The undersigned did not consent to or have knowledge of the preparation, signing or filing of the Notice of Appeal that named the undersigned as attorney of record.

The undersigned was wrongfully named as attorney of record for Appellant, and was named without the undersigned's knowledge or consent.

Therefore, the undersigned respectfully requests this Court to issue an order relieving William M. Saltzman and Merritt, Webb, Wilson & Caruso, PLLC as attorney for Appellant.

November 6, 2017

A handwritten signature in black ink, appearing to read 'W.M.S.', written over a horizontal line.

William M. Saltzman  
Merritt, Webb, Wilson & Caruso, PLLC  
P.O. Box 24109  
Columbia, South Carolina 29224  
Phone: (803) 255-0655  
Fax: (803) 779-4822  
Wrongfully Named Attorney for Appellant

# Exhibit A



8910 Two Notch Road, Suite 400  
Post Office Box 24109, Columbia, SC 29224  
Telephone (803) 255-0655 : (800) 556-8404  
Facsimile (803) 779-4822  
www.merrittwebb.com

James A. Merritt, Jr. (1956-2017)  
Joy Rhyme Webb NC  
Joseph M. Wilson, Jr. NC  
Heather B. Caruso SC, TN

Sandra L. Adams FL, TN  
Adrina G. Bass NC  
Janelle J. Brienzi NC  
W. Alexander Buergey SC  
Cindy L. Buzhardt SC  
J. Benjamin Cahill SC  
Steven J. Clark NC  
W. Russell Congleton NC

Danelle Cummings NC  
Valerie L. Dance TN  
Tamika R. Davis NC  
Paul W. Duty TN  
Shandi L. Fleeman TN  
Steven M. Gebeaux NC  
Joeclyn Gnrirrep  
NC, NJ, NY, SC, TN

Kevin D. Hall NC  
Kristin L. Hart GA, NC  
Brent M. Hays TN  
Christopher R. Jay SC  
Richard C. Klein NC  
Mark A. Kochuk NC  
Jason D. Krasnové II, TN  
Caitlin R. Lee SC

Aron J. Mefford MI, NC  
Cole R. Portney SC  
Tommi E. Powell NC  
Brandy G. Price SC  
Steve E. Price SC  
Jonathan M. Riddle SC  
James S. Ruane, Jr. NC  
William M. Saltzman SC, TN

Rafal M. Stachowiak DC, NC  
Christina P. Terrell TN  
Wesley B. Waller NC  
Gregory T. Whitley SC  
Julie M. Zuber NC

October 11, 2017

**SENT VIA U.S. MAIL AND E-MAIL: mf6samuel@gmail.com**

Mrs. Miriam Samuel  
4014 Margrave Road  
Columbia, SC 29203

**Re: *Miriam Samuel v. Lynne Johnson***  
**Case No.: 2016-CP-40-02393**  
**File No.: 63295**


Dear Mrs. Samuel:

Enclosed please find a copy of the Jury Verdict form and the Judgment issued by Judge Lee. Unfortunately, the jury found in favor of the Defendant. We will notify your medical lienholders of the case's outcome and ask that they release you from their liens.

You have thirty (30) days from the date that the verdict and judgment was pronounced to file an appeal with the South Carolina Court of Appeals. The appeal must contain grounds on which your appeal is based and why you believe the Court committed reversible error at your trial. If you choose to appeal, I strongly advise that you secure counsel to represent you in the appeal. Our firm will not handle your appeal.

This concludes our representation of your case. Thank you again for the opportunity to assist you. Should you have any questions, please do not hesitate to contact our office.

Sincerely,

  
William M. Saltzman  
Attorney at Law

Enclosure

MERRITT, WEBB, WILSON & CARUSO, PLLC

COLUMBIA · DURHAM · NASHVILLE

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
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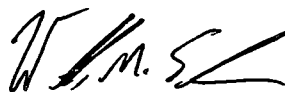
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PROOF OF SERVICE

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I certify that I have served the Motion to Relieve Counsel on Miriam H. Samuel by depositing a copy of it in the United States Mail, postage prepaid, on November 6, 2017, to 4014 Margrave Road, Columbia, South Carolina 29203. I also certify that I have served the Motion to Relieve Counsel on Lynne N. Johnson by depositing a copy of it in the United States Mail, postage prepaid, on November 6, 2017, addressed to her attorneys of record, E. Dale Lang, Jr. and Jescelyn Spitz of Clawson & Staubes, 1612 Marion Street, Suite 200, Columbia, South Carolina 29201.

November 6, 2017



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William M. Saltzman  
Merritt, Webb, Wilson & Caruso, PLLC  
P.O. Box 24109  
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Phone: (803) 255-0655  
Fax: (803) 779-4822  
Wrongfully Named Attorney for Appellant



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William M. Saltzman  
Licensed in SC & TN

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SC Court of Appeals

November 6, 2017

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: Miriam H. Samuel, Appellant v. Lynne N. Johnson, Respondent  
Appellate Case No. 2017-002289

Dear Ms. Kitchings:

Enclosed for filing is a Motion to Relieve Counsel in the above case. Also enclosed are the following:

- (1) Proof of Service of the Motion to Relieve Counsel on the Appellant and Respondent.
- (2) A filing fee of \$25.00.

Please file the originals, clock the copies and return them to my office in the envelope enclosed. Should you have any questions, please contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read 'W.M.S.', written over a horizontal line.

William M. Saltzman  
Attorney at Law

Enclosure

cc: Miriam Samuel  
E. Dale Lang, Jr., Esq.  
Jescelyn Spitz, Esq.



**MERRITT WEBB**

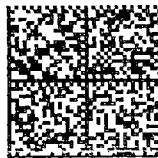
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**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211



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