

Supreme Court
FILED

No. : _____ **06-156** JUL 28 2006

In the **OFFICE OF THE CLERK**
Supreme Court of the United States



CASILDA E. ROPER-SIMPSON,

Petitioner-Appellant,

-against-

BARRY C. SCHECK, JOHNNIE L. COCHRAN, SANFORD RUBENSTEIN,
THOMAS & FIGEROUX, and ESTATE OF CARL W. THOMAS,

Respondents-Appellees.

**PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE SECOND
CIRCUIT**

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QUESTIONS PRESENTED

In a claim by one set of attorneys, who represented Abner Louima in his infamous police brutality case against the City of New York, seeking forfeiture to themselves, of the fees of the original attorneys who represented Mr. Louima, the Second Circuit affirmed the district court's grant of relief. The Second Circuit affirmed despite the fact that: a) the attorneys seeking forfeiture did not allege any injury to themselves; b) they only alleged that petitioner and her colleagues caused injury to Louima; and c) Louima did not authorize the forfeiture claim, and did not know that the Respondents had divided the prospective forfeited fees among themselves. The Second Circuit also affirmed the district court's decision to allocate fees between the petitioner and T&F, despite the fact that this issue had been resolved by these parties, and was no longer "live".

Three questions are presented:

1. Under Article III, do attorneys, who did not allege any injury to themselves, and who were not authorized by the client, have standing to seek forfeiture to themselves, of their co-counsel's fee from the client, based solely upon injuries allegedly done by their co-counsel to the client?
2. Does a federal court have jurisdiction to adjudicate such a fee forfeiture claim in the absence of a showing of standing?
3. In light of the 'case or controversy' requirement of Article III, does a federal court have the authority or jurisdiction to decide an issue which had been rendered moot by the parties before the court?

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06-159 JUL 27 2006

No. OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

CULPEPPER & CARROLL, PLLC
Petitioner,

v.

CONNIE D. COLE,
Respondent.

ON APPLICATION FOR
WRITS OF CERTIORARI AND/OR
WRITS OF REVIEW OF THE
SUPREME COURT OF THE
STATE OF LOUISIANA,
WHICH DECISION REVERSED
A DECISION OF THE
COURT OF APPEAL, SECOND CIRCUIT,
STATE OF LOUISIANA

PETITION FOR WRITS OF CERTIORARI
AND/OR WRITS OF REVIEW

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QUESTIONS PRESENTED

1. Can a State deprive an attorney of attorney's fees in a contingent fee contract where the client agrees to a settlement and then changes his mind?
2. Does an attorney have any property rights protected by the United States Constitution in a contingent fee contract?
3. Can a State Supreme Court fail to follow jurisprudence and statutes and rely on Rules of Professional Conduct (administrative rules) to deprive an attorney of attorney's fees?
4. Can a State Supreme Court disregard its own rules governing Application for Writs, content of briefs and time schedule in order to assist a litigant in not having to pay attorney's fees under contingent fee contract?