

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 12-60298-Cr-Scola

UNITED STATES OF AMERICA,
Plaintiff,

vs.

SHEHERYAR ALAM QAZI,
Defendant.

_____ /

DEFENSE COUNSEL'S NOTICE OF STATUS

Undersigned counsel files this Notice of Status and in support thereof states the following:

1. Mr. Qazi is charged by indictment with one count of conspiracy to provide material support to terrorists and one count of conspiring to use a weapon of mass destruction.

2. On April 30, 2014, this Court ordered undersigned counsel to file a Notice of Status, advising the Court of his position on whether he can or should continue to represent Sheheryar Alam Qazi in light of the incident that occurred in the SCIF earlier this month.

3. It is undersigned counsel's position that he can and should continue to represent Mr. Qazi in spite of the incident that occurred in the SCIF on April 8, 2014.

4. Rule 4-1.7 of the Rules Regulating the Florida Bar¹ states:

CONFLICT OF INTEREST; CURRENT CLIENTS

(a) Representing Adverse Interests. Except as provided in subdivision (b), a lawyer shall not represent a client if:

(1) the representation of 1 client will be directly adverse to another client;
or

¹ Undersigned counsel is a member of the Florida Bar.

(2) there is a substantial risk that the representation of 1 or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(b) Notwithstanding the existence of a conflict of interest under subdivision (a), a lawyer may represent a client if:

(1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;

(2) the representation is not prohibited by law;

(3) the representation does not involve the assertion of a position adverse to another client when the lawyer represents both clients in the same proceeding before a tribunal; and

(4) each affected client gives informed consent, confirmed in writing or clearly stated on the record at a hearing.

5. Undersigned counsel does not believe that there is a substantial risk that his representation of Mr. Qazi will be materially limited by his responsibilities to another client, a former client, a third person, or by a personal interest of undersigned counsel in violation of 4-1.7(a)(2). Accordingly, undersigned counsel does not believe that a conflict of interest exists in this case.

6. However, even if a conflict of interest did exist under 4-1.7(a), undersigned counsel would still be able to represent Mr. Qazi if the four conditions listed in 4-1.7(b) were complied with. Undersigned counsel believes that his continued representation of Mr. Qazi would not violate the first three conditions of subsection (b). However, Mr. Qazi has not, to date, given informed consent, confirmed in writing or clearly stated on the record at a hearing in compliance with 4-1.7(b)(4). If this Court were to conclude that a conflict of interest does exist in this case under 4-1.7(a), then undersigned counsel would request that the Court appoint

another attorney for the purpose of consulting with Mr. Qazi about said conflict and about whether Mr. Qazi should or should not waive that conflict.

Respectfully submitted,

/s/ Ronald S. Chapman
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Certificate of Service

Undersigned counsel certifies that on May 2, 2014 this notice was electronically filed with the Clerk of Court using CM/ECF, and it was electronically transmitted to all counsel of record.

/s/ Ronald S. Chapman
Ronald S. Chapman