

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

STEPHEN BAKER,

Petitioner,

v.

CASE NO. 1D03-2258

HENDERSON KEASLER LAW  
FIRM and AMERICAN HERITAGE  
LIFE INSURANCE COMPANY,

Respondents.

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Opinion filed October 24, 2003.

Petition for writ of certiorari--original jurisdiction.

Robert H. Sturgess, of Motes & Carr, P.A., Jacksonville, for petitioner.

Alan D. Henderson, of Henderson Keasler Law Firm, Jacksonville, for respondents.

WOLF, C.J.

Baker files a Petition for Writ of Certiorari challenging an order requiring him to pay his withdrawing counsel before allowing substitute counsel to appear. This order is reviewable by certiorari. See generally, St. Paul Fire & Marine Ins. Co. v. Marina

Bay Resort Condo. Ass'n, Inc., 794 So. 2d 755 (Fla. 1<sup>st</sup> DCA 2001). The challenged order departs from the essential requirements of law. Kiriakidis v. Kiriakidis, 2003 WL 22187836 (Fla. 4<sup>th</sup> DCA Sept. 24, 2003) (finding error to require party to pay fees of withdrawing attorney prior to allowing new counsel to appear when amount of fees are in dispute). We, therefore, grant the Petition for Writ of Certiorari; we quash the order of the circuit court and direct the trial court to enter a new order consistent with this opinion.

LEWIS and POLSTON, JJ., CONCUR.