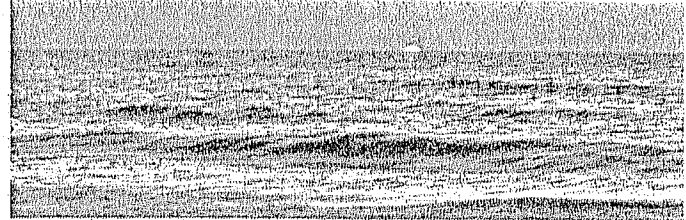


Englewood

COMMUNITY, 4B OBITUARIES, 14B WEATHER, 16B



B HERALD-TRIBUNE / SATURDAY, JULY 26, 2003

Lawyer withdraws from fraud case

PUNTA GORDA — A defense lawyer subpoenaed to testify during his client's upcoming trial withdrew from the case Friday, citing the conflict.

Attorney Russell Kirshy was co-counsel for Nicholas Tersigni, the man accused of scamming customers along with his father through their landscaping company.

The state named Kirshy as a witness because he had prosecuted Tersigni in an earlier case.

Last month Kirshy unsuccessfully asked Circuit Judge William Blackwell to quash the subpoena.

In court Friday, Kirshy told Circuit Judge Isaac Anderson he had no choice but to withdraw from the case. Tersigni's other lawyer, Thomas Marryott, had said July 21 that he was considering whether to withdraw from the case. As of Friday no paperwork had been filed. Marryott could not be reached for comment.

The trial of Tersigni and his father, Frank, is scheduled to begin Nov. 3.