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Schiavo's feeding tube removed

Husband's lawyer denounces congressional 'thuggery'

Friday, March 18, 2005 Posted: 11:46 PM EST (0446 GMT)

PINELLAS PARK, Florida (CNN) -- The feeding tube for the brain-damaged Florida woman at the center of a bitter moral and legal tug of war was disconnected Friday afternoon, and her husband's lawyer pleaded, "She has a right to die in peace."

The dramatic moment seemed to cap an emotional day in which Terri Schiavo's husband, parents, the courts and members of Congress waded into the battle over the woman's fate.

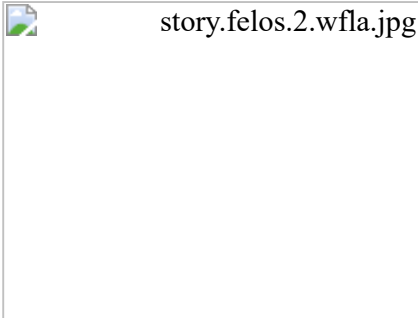
But late Friday, lawyers for the House of Representatives filed an appeal with the U.S. Supreme Court, asking the justices to intervene in the case.

Justice Anthony Kennedy has jurisdiction over emergency appeals in cases arising in the 11th U.S. Circuit, where Schiavo's case is being played out.

That appeal was later denied without comment.

The court made the decision at 11:05 p.m. after the justices conferred by telephone. There was no breakdown of the vote.

David Gibbs, an attorney for Schiavo's parents, Mary and Bob Schindler, said the family is appealing to the 11th Circuit Court of Appeals on an expedited basis and pressing Congress to sort out legislation, while also lobbying the



George Felos: Removal of Terri Schiavo's feeding tube "was an emotional occasion."

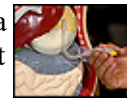
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Last-ditch effort to prevent removal of Schiavo's feeding tube.



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Florida Legislature to pass a law to intervene.

"We're now up against a very tight clock because Terri is in the process of being starved to death," Gibbs said. "It is looking more and more like Washington, D.C., or [the state capital of] Tallahassee is going to have to step forward and save Terri's life."

He added, "The family is heartsick. This is their daughter. This is their loved one. This is their sister. And they are watching her suffer, in their opinion, a death that she shouldn't have to face."

The tube was disconnected about 1:45 p.m., George Felos, Michael Schiavo's attorney, told reporters. Friday's medical procedure was the third time the tube had been disconnected from the 41-year-old woman.

Present were her doctor, a number of other health care providers and a representative of her husband and guardian, Felos said. He said Terri Schiavo, who is Roman Catholic, received the sacrament of Communion from a hospice priest before the tube was disconnected.

"I am told that it was an emotional occasion. Prayers were said at the time, and the feeding tube was disconnected," Felos told reporters. "Mr. Schiavo currently is with his wife, at her bedside."

"It was a very calm, peaceful procedure," he said.

Without liquids, it could take Schiavo two to four weeks to die from dehydration.

Felos said Terri's parents, who have been trying to become their daughter's guardians and have fought Michael Schiavo's desire to let his wife die, can visit their daughter at the Hospice of the Florida Suncoast in Pinellas Park.

"They are free to visit her right now. I want to be absolutely clear about that," Felos said. "There is no effort whatsoever to restrict their visitation. They can go and visit her now. They can stay as long as they want."

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PERSISTENT VEGETATIVE STATE

This term is commonly, but incorrectly, referred to as "brain-death." It can follow a coma.

People in a persistent vegetative state cannot think, speak or respond to commands and are not aware of their surroundings. They may have noncognitive functions and breathing and circulation may remain relatively intact.

They also might move spontaneously and even grimace, cry or laugh. Some people might regain some awareness after being in a persistent vegetative state but others might remain in the state for decades.

Source: National Institutes of Health

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The disconnecting of the feeding tube was the latest step in a contentious family saga that began 15 years ago, when Terri Schiavo collapsed from heart failure that resulted in severe brain damage. Lower courts have ruled that she is in a "persistent vegetative state."

Seven years ago, Schiavo's husband and her parents began a legal tug-of-war over whether to have her feeding tube removed and allow her to die. The case has drawn national attention and rallied activists on both sides of the right-to-die debate.

Michael Schiavo contends his wife would not want to be kept alive artificially. But her parents argue she had no such death wish and believe she could get better with rehabilitation.

Terri Schiavo did not leave anything in writing about what she would want if she ever became incapacitated. Over the years, courts have sided with her husband in more than a dozen cases.

There had been an attempt by the Government Reform Committee of the U.S. House to block the removal of Terri's feeding tube, which Pinellas Circuit Judge George Greer had ordered earlier Friday. That order was stayed briefly when Greer could not be found to participate in a conference call with attorneys.

The House committee's measures came after bills aimed at saving Schiavo's life stalled in Congress and in the Florida Legislature.

But Greer reinstated his order to have the tube removed, saying it should be done "forthwith."

Felos said other legal efforts still are under way to have the feeding tube reconnected. He said the deputy clerk at the Florida Supreme Court said a petition for relief filed there by the House was denied.

He, Greer and Michael Schiavo also were served Friday in a federal district court action in the Middle District of Florida in a lawsuit brought by Terri's parents. Another lawsuit also has been filed in federal district court, but he said he had no information on it.

Attorney: Congressional 'thuggery'

Felos called the House interference "thuggery" and said Terri Schiavo was "a pawn in a political football game."

"Mrs. Schiavo had a right to choose her own course," he added.

Schiavo's feeding tube has been removed twice before, most recently in 2003. That year, Gov. Jeb Bush pushed a law through the Florida Legislature that authorized the woman's feedings to resume, six days after a court stopped them. The Florida Supreme Court later ruled the law unconstitutional.

CNN's Nnette Sosa, Carol Lin, Ted Barrett, Joe Johns, Rich Phillips and Jen Yuille contributed to this report.

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