

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

IN RE JOSEPH NEAL, JR.)
) No. MC-112-008
)

DECLARATION

I, Roger W. Orlando, do hereby declare, pursuant to 28 U.S.C. § 1746, that the following is true and correct to the best of my knowledge and belief:

1. I am licensed to practice law in the State of Georgia and the State of New Jersey. I also am licensed to practice in the District of Columbia, and am a member of the Bars of the Middle and Northern Districts of Georgia; the United States District Court, District of New Jersey; United States District Court, Eastern & Western Districts of Arkansas; and the United States District Court, Northern District of Illinois.
2. I am familiar with the character and reputation of Joe Neal, Jr., and make this Declaration in Support of Joe Neal Jr.’s Motion to Vacate his suspension from practice in this federal district.
3. I am generally familiar with the allegations against Joe Neal, Jr., arising out of his indictment on Rape in the Superior Court of Richmond County and am familiar

with the resolution of that case.

4. This matter was tried before the Superior Court of Richmond County and resulted in a dismissal of the rape charge and a plea agreement to three non-violent, non-sexual misdemeanors on a separate accusation, acts which were totally unrelated to Mr. Neal's law practice or his representation of clients, or his candor or honesty towards a Court or tribunal.

5. I am troubled that the judicial process against Mr. Neal already played out in Court and resulted in the dismissal of the rape charge against him, yet he now has to be subject to what amounts to a retrial of these charges against him in a Bar proceeding in federal court.

6. Specifically, upon information and belief, I understand that Mr. Fred Kramer has been appointed to represent the members of the Bar of the Southern District of Georgia, however, his actions do not represent my views of this matter.

7. In particular, Mr. Neal is factually innocent of the charge of rape against him as that charge now has been dismissed. Mr. Neal's innocence of the charge of rape should be vindicated in this Court as well, and his private, personal, consensual sexual conduct should not again be paraded before the public. The misdemeanor dispositions are first offenses for Mr. Neal which rarely, if ever, have been justification for suspension or disbarment.


8. I understand that the trial judge in Superior Court of Richmond County, Judge Blanchard, stated in open court that no rape occurred and I understand that the prosecutor admitted in open court that the alleged victim would be extensively discredited on cross examination.

9. It is my view that it is inappropriate to comment upon the private, consensual sexual conduct of a member of this Bar because such conduct is private and protected by the U.S. and Georgia Constitution. In any event, any such conduct should not become an issue for resolution for the U. S. District Court or any Court where criminality is not involved. In other words, and respectfully, I don't believe it appropriate that this Court, or any Court for that matter should regulate the private, consensual conduct of attorneys appearing before them.

10. I endorse Mr. Neal for reinstatement as a member of the Bar of the Southern District of Georgia.

11. I declare under penalty of perjury that the foregoing 10 paragraphs are true and correct, and that this declaration was executed on September 17, 2012, in Decatur, Dekalb County, Georgia.

9/17/12
REGINA PHANDANOUVONG
NOTARY
EXPIRES
GEORGIA
JULY 21, 2015
DEKALB COUNTY



Roger W. Orlando, Esq.

Ga. State Bar No. 554295