

FILED**JUL 29 2004**

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
(CHARLESTON DIVISION)**

LARRY W. PROPES, CLERK
CHARLESTON, SC

JOSE PADILLA
Plaintiff/Petitioner/USA, v.

Case No. 2 04 2221 26AJ

Commander C.T. Hanft, USN
Defendant/Respondent.

**Application/Affidavit for
Pro Hac Vice Admission
and Order**

(1) Name of Applicant. Donna R. Newman
First Middle Last

(2) Residence. I reside at the following address:

11 Winding Woods Way, Manalapan, New Jersey 07726
Street City State Zip Code

(If a resident of South Carolina, Applicant should indicate for how long: _____ months/years.)

(3) Business Address. I am an attorney and practice law under the name of or as a member of the following firm:

Firm name: Donna R. Newman, P.A.
Mailing address: 121 West 27th Street, Suite 1103, New York, N.Y. 10001
Telephone number: (212) 229-1516
Facsimile number: (212) 924-0726
Email address: donna.newman.law@aol.com

(4) Jurisdiction of this Court. I, by execution of this Application and Affidavit, consent and agree to comply with the applicable statutes, laws, and rules of the State of South Carolina, with all federal rules, and with the Local Rules of the United States District Court for the District of South Carolina (particularly, Local Civil Rule 83.1.08 and/or Local Criminal Rule 57.1.08). I consent to the jurisdiction of the United States District Court for the District of South Carolina in all matters of attorney conduct.¹

(5) Regular Practice of Law. I am a member in good standing of the bar of the highest court of the District of Columbia or the State of New York where I regularly practice law.
Attached is my certificate of good standing.

(6) Additional Bar Membership. I have been admitted to practice before the following courts: (List all of the courts Applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.) By signing this Affidavit, I certify that I am a member in good standing of each of the listed bars unless otherwise noted.

Court	Date Admitted
<u>As per attached list,</u>	

Good Standing	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

¹ This District maintains a web site (www.scd.uscourts.gov) from which the federal and local rules of procedure and related materials may be obtained.

15

COURTS TO WHICH ADMITTED TO PRACTICE

Supreme Court of the United States-Admitted January 16, 1996
United States Court of Appeals for the Second Circuit-Admitted May 12, 1994
United States Court of Appeals for the Third Circuit-Admitted December 10, 1993
United States Court of Appeals for the Sixth Circuit-Admitted July 12, 1996
United States Court of Appeals for the Eleventh Circuit-Admitted March 20, 2001
United States District Court for the Southern District of New York-Admitted April 7, 1989
United States District Court for the Eastern District of New York-Admitted April 7, 1989
United States District Court for the District of New Jersey-Admitted February 8, 1989
United States District Court for the District of Connecticut-Admitted April 7, 1989
United States District Court for the Eastern District of Michigan-Admitted July 12, 1996
State of New York for the First Judicial Department-Admitted October 10, 1990
State of New Jersey-Admitted December 22, 1986


- (7) Pending Disciplinary Matters. Are you presently the subject of any formal suspension or disbarment proceedings, and have you been notified by any disciplinary agency of the initiation of formal procedures? ☐ Yes ☒ No
(If "yes," give particulars, such as jurisdiction, court, date, grounds. Information to comply with this paragraph may be provided *in camera* but that fact shall be revealed below.)
- (8) Curtailment of Prior *Pro Hac Vice* Admissions. Have you ever had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked? ☐ Yes ☒ No
(If "yes," give particulars, such as date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation.)
- (9) Sanctions. Have you ever had any certificate or privilege to appear and practice before any judicial or administrative body suspended or revoked, or received a public reprimand or greater sanction? ☐ Yes ☒ No
(If "yes," give particulars, e.g., judicial or administrative body, date of suspension, and reinstatement.)
- (10) Criminal Sanctions. Have you ever been convicted of a felony under the laws of the District of Columbia or of any State or under the laws of the United States? ☐ Yes ☒ No
(If "yes," give particulars, such as date, court, judge, circumstances, and ultimate disposition.)
- (11) Present and Previous *Pro Hac Vice* in this Court. Have you, within the last ten (10) years, filed an application to appear *pro hac vice* in the United States District Court for the District of South Carolina or another court in the state of South Carolina? ☐ Yes ☒ No
(If "yes," give court, case name, docket number, and status of litigation, year of application, local counsel of record in each case, and state whether application is pending or was granted.) Attach additional pages if necessary.
- (12) Designated Local Counsel. Local counsel of record associated with Applicant in this case is:
- | | |
|------------------------------------|-----------------------------------|
| Attorney Name: | <u>Michael O'Connell, Esq.</u> |
| Street Address or Post Office Box: | <u>145 King Street, Suite 410</u> |
| City, State, and Zip Code: | <u>Charleston, S.C. 29402</u> |
| Telephone Number: | <u>(843) 577-9890</u> |

I understand that local counsel of record is required to: (1) personally sign each pleading, motion, discovery procedure, or other document served or filed in this Court; (2) accept service of all pleadings and notices as required on behalf of all counsel for the party represented; (3) be present at all pretrial conferences, hearings and trials, unless excused by the Court; (4) be prepared to participate actively as may be necessary; and (5) assure compliance with Local Civil Rules 83.I.04, 83.I.05, and 83.I.06 or Local Criminal Rules 57.I.04, 57.I.05, and 57.I.06 as appropriate. Local counsel of record may attend discovery proceedings.

- (13) Associated Counsel. In addition to local counsel designated above, the following counsel are also associated with the undersigned in this case.
Andrew G. Patel, Esq., Jonathan Freiman, Esq., Jenny S. Martinez, Esq.,
- (14) Filing Fee. I affirm that the filing fee of one hundred dollars (\$100) per applicant has been paid in accordance with Local Civil Rule 83.I.05 or Local Criminal Rule 57.I.05 or paid herewith.


Signature of Applicant

Sworn to and subscribed before me
this 28th day of July 2004.


A Notary Public
of the State of NEW JERSEY

My Commission expires: APRIL 9, 2006

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
(CHARLESTON DIVISION)

Jose Padilla

Plaintiff/Petitioner/USA,

v.

Case No. 2 04 2221 26 AJ

Commander C.T. Hanft, USN

Defendant/Respondent.

ORDER

Upon consideration of the foregoing Motion and Application/Affidavit for Admission *Pro Hac Vice*,

IT IS ORDERED THAT:

Applicant: _____ who represents _____

- ☐ Be granted admission *Pro Hac Vice* and the Applicant may appear in this matter on behalf of the represented party(ies).
- ☐ Be denied admission *Pro Hac Vice* and the Applicant may not appear in this matter on behalf of the represented party(ies).

Date _____

United States District/Magistrate Judge

**Appellate Division of the Supreme Court
of the State of New York
First Judicial Department**

I, Catherine O'Hagan Wolfe, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

DONNA R. NEWMAN

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on the 24th day of September, 1990 has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my
hand and affixed the seal of this court on

July 7, 2004

Catherine O'Hagan Wolfe

Clerk