

IN THE SUPREME COURT OF OHIO

In re:

**Neal Ghaleb Atway
Attorney Reg. No. 0059252**

NOTICE OF FELONY CONVICTION

**Neal Ghaleb Atway (0059252)
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Boardman, Ohio 44512**

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Counsel for Defendant**

IN THE SUPREME COURT OF OHIO

In re:

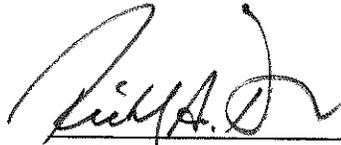
Neal Ghaleb Atway

ENTRY

Gov. Bar R. V, Section 18

Pursuant to Rule V, Section 18 of the Supreme Court Rules for the Government of the Bar of Ohio, the Supreme Court of Ohio is hereby notified of the felony conviction of Neal Ghaleb Atway (0059252) in the United States District Court, Northern District of Ohio, Eastern Division, Case Number 1:14CR 70, on January 19, 2016. Neal Ghaleb Atway was convicted of one count of conspiracy against rights, a Class C felony, in violation of 18 U.S.C. §241.

A certified judgment entry of conviction is attached to this notice.



Richard A. Dove
Director
Board of Professional Conduct
of the Supreme Court of Ohio

Revised 4/11/2011

MINUTES OF CRIMINAL PROCEEDINGS
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA

vs.

NEAL ATWAY

Date: January 19, 2016

Case No. 1:14 CR 70 - 01

Judge: SOLOMON OLIVER, JR.

Court Reporter: Shirle Perkins

Pts/Prob Officer: Adam C. Jones

Interpreter:

Date of Arrest:

U.S. Attorney:

Mark Bennett

Attorney for Defendant(s):

Roger Synenberg & Clare Moran

CJA Apt:

Fed. Defender:

Retained:

X

ARRAIGNMENT:

Defendant arraigned, plea of GUILTY NOT GUILTY NOLO CONTENDERE entered as to count(s) of the Indictment Information.

CHANGE OF PLEA:

Defendant Plea of NOT GUILTY withdrawn, plea of GUILTY NOLO CONTENDERE entered as to count(s) of the Indictment Information.

X Plea agreement executed.

The Court adopts the R&R of the Magistrate Judge and finds there is a factual basis for the acceptance of the guilty plea.

Bond \$ set continued detention remanded to the custody of U.S. Marshal.

Motion of government for detention pending trial. Detention Hearing set for:

Defendant referred to the Probation Office for Pre-sentence Investigation.

Jury Trial scheduled for:

Pretrial Conference scheduled for:

Sentencing scheduled for:

SENTENCE:

Defendant committed to the custody of the Bureau of Prisons for a period of months on count(s) of the Indictment Information to run concurrent consecutively.

Period of years of supervised release with standard/special conditions as ordered (see reverse side of form).

Fined the sum of \$ 2000.00 Fine Waived

Restitution in the amount of \$ Payable to: Not Ordered.

I.S.S., Probation ordered for a period of months 3 years on count(s) 1 of Supplemental Indictment X Information with standard/special conditions as ordered (see reverse side of form).

The defendant is to pay a special assessment of \$ 100 on counts 1s. Total \$ 100.00.

Upon motion of U.S. Attorney, counts(s) 1, 2, 3, 4, and 5 of the Indictment/Information are hereby dismissed.

The execution of the sentence of imprisonment is deferred and the bond continued until, at which time the defendant shall surrender to the United States Marshal for this district, or the designated institution.

Bond is revoked and the defendant is remanded to the custody of the U.S. Marshal.

I hereby certify that this instrument, document no. 762, filed on 1/19/16 is a true and correct copy of the electronically filed original.

Attest: Geri M. Smith, Clerk U.S. District Court Northern District of Ohio

By: [Signature] Deputy Clerk

STANDARD AND SPECIAL CONDITIONS OF SUPERVISED RELEASE/PROBATION

The defendant shall not commit another federal, state or local crime, shall not illegally possess a controlled substance, shall comply with the standard conditions that have been adopted by this court, and shall comply with any additional conditions.

The defendant shall refrain from unlawful use of a controlled substance and submit to one drug test within 15 days of the commencement of supervision and to at least two periodic drug tests thereafter, as determined by the pretrial services and probation officer.

The defendant shall participate in an approved program of outpatient, inpatient or detoxification substance abuse treatment, which will include drug and alcohol testing to determine if the defendant has reverted to substance abuse.

The defendant shall not possess a firearm, destructive device or any dangerous weapon.

The defendant shall provide the probation office access to any requested financial information.

The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.

Financial Windfall Condition.

Gambling Condition.

The defendant shall enter an adult program and work toward a Certificate of General Educational Development (GED).

Special Employment. The defendant shall comply with the Offender Employment Policy which may include participation in training, counseling, and/or daily job search as directed by the pretrial services and probation officer.

The defendant shall participate in the Location Monitoring Program for a period of 4 months, to commence no later than 30 calendar days from sentencing.

Search and Seizure. The defendant shall submit his/her person, residence, place of business, computer, or vehicle to a warrantless search, conducted and controlled by the U.S. Probation Officer.

Sex Offender Registration and Notification Act (Adam Walsh Act)

Mental Health Treatment. The defendant shall participate in an outpatient mental health treatment program.

Cognitive Behavioral Program.

Community Service. The defendant shall perform ___ hours of community service as directed by the probation officer.

Gang. The defendant shall not associate with any members of a gang or threat group as directed by the probation officer.

Deportation. The defendant shall surrender to the Bureau of Immigration and Customs Enforcement, U.S. Department of Homeland Security for deportation, and shall not illegally re-enter or remain in the United States.

DNA Collection.

Denial of Federal Benefits.

Sex Offender.

Computer/Internet. Total Prohibition on Access to a Computer Internet.

Computer/Internet Restricted.

Computer/Internet Access Permitted. The defendant shall abide by all rules of the Computer Restriction and Monitoring Program.

Computer Search Only.

Computer Employment Restriction.

Recommendation to the Bureau of Prisons: _____

The defendant is granted credit for time already served in relation to this matter.

The defendant advised of his/her appeal rights.

No Contact with Minors.

COMMENTS: Standard conditions of probation ordered. Defendant to pay the costs of home detention with electronic monitoring.

Total Time: 1 hr

/s/Maria Dallas

Courtroom Deputy Clerk

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA

v.

NEAL ATWAY

AMENDED JUDGMENT IN A CRIMINAL CASE

Case Number: 1:14 CR 70 - 01

USM Number: 60118-060

Roger Synenberg and Clare Moran
Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) 1 of Supplemental Information

pleaded nolo contendere to count(s) _____
which was accepted by the court.

was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 U.S.C. § 241	Conspiracy Against Rights, Class C Felony	11/16/2012	1

See additional count(s) on page 2

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

Count(s) 1, 2, 3, 4, and 5 of Indictment is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

January 19, 2016

Date of Imposition of Judgment

I hereby certify that this instrument, document no. 277, filed on 2/10/16 is a true and correct copy of the electronically filed original.

Attest: Geri M. Smith, Clerk
U.S. District Court
Northern District of Ohio

By: [Signature]
Deputy Clerk

/s/SOLOMON OLIVER, JR.

Signature of Judge

Solomon Oliver, Jr., Chief Judge, United States District Court

Name of Judge

Title of Judge

February 10, 2016

Date

DEFENDANT: NEAL ATWAY
CASE NUMBER: 1:14 CR 70 - 01

PROBATION

The defendant is hereby sentenced to probation for a term of :

3 years.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. *(Check, if applicable.)*
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. *(Check, if applicable.)*
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. *(Check, if applicable.)*
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. *(Check, if applicable.)*
- The defendant shall participate in an approved program for domestic violence. *(Check, if applicable.)*

If this judgment imposes a fine or restitution, it is a condition of probation that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or the probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall comply with the Northern District of Ohio Offender Employment Policy which may include participation in training, education, counseling and/or daily job search as directed by the pretrial services and probation officer. If not in compliance with the condition of supervision requiring full-time employment at a lawful occupation, the defendant may be directed to perform up to 20 hours of community service per week until employed, as approved or directed by the pretrial services and probation officer.
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer; Defendant is permitted to continue working at the same building which co-defendant Scott Cochran is permitted to work;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: NEAL ATWAY
CASE NUMBER: 1:14 CR 70 - 01

Judgment Page: 3 of 5

SPECIAL CONDITIONS OF SUPERVISION

Location Monitoring Program:

The defendant shall participate in the Location Monitoring Program for a period of 4 months, to commence no later than 30 calendar days from sentencing. The defendant shall be required to remain in his residence unless given permission in advance by the probation officer to be elsewhere. The defendant may leave his residence to work and receive medical treatment and to attend religious services. The defendant shall consent to be monitored by the form of location monitoring indicated below and shall abide by all of the requirements established by the pretrial services and probation office related to the use of this location monitoring technology; and submit to random drug/alcohol tests as specified by the pretrial services and probation officer. The defendant may participate in the Discretionary Leave under terms set by the pretrial services and probation officer. The participant shall pay the costs of participation in the location monitoring program, based on their ability to pay as directed by the pretrial services and probation officer.

- Location monitoring technology at the discretion of the officer
- Radio Frequency (RF) Monitoring
- Passive GPS Monitoring
- Active GPS Monitoring (to include hybrid GPS)

DEFENDANT: NEAL ATWAY
CASE NUMBER: 1:14 CR 70 - 01

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payment of \$ _____ due immediately, balance due
 - not later than _____, or
 - in accordance C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:
 - A special assessment of \$ 100.00 is due in full immediately as to count(s) 1 of Supplemental Information. Mailed payments are to be sent and made payable to the Clerk, U.S. District Court, 801 West Superior Ave., Cleveland, OH 44113-1830.
 - After the defendant is released from imprisonment, and within 30 days of the commencement of the term of supervised release, the probation officer shall recommend a revised payment schedule to the Court to satisfy any unpaid balance of the restitution. The Court will enter an order establishing a schedule of payments.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.