

## **DONALD F. SAMUEL**

Don Samuel graduated from Oberlin College in 1975 and the University Of Georgia School Of Law in 1980 (cum laude), where he was an editor of the Georgia Journal of International and Comparative Law. He served as law clerk to United States District Court Judge Harold L. Murphy (N.D.Ga.) following his graduation from law school and then joined what is now known as GARLAND, SAMUEL & LOEB, P.C. He is past-President of the Georgia Association of Criminal Defense Lawyers (GACDL) and a member of the National Association of Criminal Defense Lawyers (NACDL). In 1999, he was elected to membership in the American Board of Criminal Lawyers. In 2000, he was inducted into the American College of Trial Lawyers and currently serves on the state committee of the ACTL. In 2020-2021, he served on the Georgia Chief Justice Covid-19 judicial task force that advised the Chief Justice and the State Judicial Council on matters relating to the pandemic and legislation that should be enacted to address the pandemic's impact on the judicial system.

Don Samuel is the author of a treatise on Georgia Criminal Law, GEORGIA CRIMINAL LAW CASE FINDER (3<sup>rd</sup> Edition 2020) published by Lexis Law Publishing, and a treatise on criminal law in the Eleventh Circuit, ELEVENTH CIRCUIT CRIMINAL HANDBOOK (2020) also published annually by Lexis Law Publishing. He publishes a compilation of federal cases that are favorable to

the defense that is currently 2,000 pages long and includes over 6,000 cases on all topics of criminal law that can be accessed on line at [www.gsllaw.com/Publications](http://www.gsllaw.com/Publications). He co-authored a compilation of criminal practice forms in 2011, Georgia Criminal Law Forms (Lexis Law Publishing); and is the Editor of a treatise on Georgia Evidence Law, published by Lexis Law Publishing. In 2005, he served as a contributing author for Agnor's Georgia Evidence (3<sup>rd</sup> ed., West Publishing Co., 2005) and wrote the chapter on the law governing cross-examination. He recently completed a treatise on the Fourth Amendment that is designed for lawyers, judges and students in Georgia.

He is the author of several law review articles, including six in the Georgia Bar Journal, Georgia RICO (Winter 1984); The Money Laundering Control Act of 1986: Will Attorneys Be Taken to the Cleaners? (Spring 1988); The 1994 Georgia Criminal Procedure Discovery Bill (January 1995); Abolishing the Forfeiture Laws (Spring 1995); Searching and Seizing Computers (Winter, 2009); and Parallel Proceedings (February 2020).

Don has been listed in Best Lawyers in America every year since 1993. In 2015, 2020 and 2021 surveys of 24,000 practicing lawyers in Georgia, Super

Lawyers magazine ranked Don one of the top ten lawyers in Georgia. In 2014, Best Lawyers in America named him Lawyer of the Year in the field of criminal law in the State of Georgia. He was awarded the Rees Smith Lifetime Achievement Award by the Georgia Association of Criminal Defense Lawyers in 2014, one of only five lawyers in Georgia to win this award in the past twenty years.

Don is an adjunct professor of law at Georgia State University, where he taught the White Collar Criminal Defense course and also a course on the Fourth Amendment along with Steve Bright in the fall of 2019. In 2016 - 2018, he taught a course in Business Crimes at the University of Georgia School of Law along with Larry Thompson, the former Deputy Attorney General of the United States. In 2020, he taught a seminar at Georgia State University Law School with Scott Grubman on Constitutional Litigation in a federal white collar crime prosecution.

Over the course of the past 34 years of practice, he has appeared in federal courts in New Hampshire, Rhode Island, Massachusetts, New York, Delaware, Maryland, Washington, D.C., Pennsylvania, North Carolina, South Carolina, Florida, Georgia, Alabama, Mississippi, South Dakota, Indiana, Minnesota,

Illinois, Ohio, Tennessee, Virginia, Kentucky, and Arizona. He has argued cases in federal appellate courts in the DC Circuit, the Fourth Circuit, the Fifth Circuit, the Sixth Circuit and the Eleventh Circuit.

Among his more notable cases are:

Don was counsel in the last three of the murder trials of Jim Williams, the antique dealer in Savannah, Georgia, whose case was chronicled in the best-selling book and the movie directed by Clint Eastwood, Midnight in the Garden of Good and Evil. Williams was tried four times for murder before being acquitted in the last trial.

Don was co-counsel in the United States Supreme Court case *Georgia v. Randolph* decided by the Court in March 2006, which held that a consent search of a residence is not permitted if one spouse objects, even if the other spouse consents.

In 2019, Don and his partner, Amanda Clark Palmer represented a doctor who operated a pain management clinic in Tennessee. The doctor was charged with operating a pill mill, dispensing opioids without a legitimate medical purpose. There were allegations that four patients died as a result of the improper

prescriptions. After a five-week trial, the doctor was found not guilty of all charges, including illegally dispensing the drugs over a five-year period and several counts of money laundering.

Also in 2019 and with his partner Amanda Clark Palmer, Don represented Robert “Chip” Olsen, a Dekalb County police officer who was charged with two counts of murder and lesser charges of assault and violating his oath of office. Following trial and six days of deliberations, the jury acquitted Olsen of both murder counts and found him guilty of the lesser charges.

In 2017, Don and his partner John Garland successfully defended a woman from Taiwan who was charged with conspiracy to violate the U.S. Customs laws in connection with the importation of lined notebook paper worth millions of dollars in violation of U.S. tariff and anti-dumping laws. She was acquitted in federal court of all charges.

In 2015, Don and his partner, Ed Garland represented the Director and Producer of a movie that were charged with involuntary manslaughter in connection with the death of a crew member who was killed by a train. Both were facing ten years in prison. After a year of negotiating with the prosecutors, the

case against the Producer was dismissed entirely and the Director entered a guilty plea and was sentenced to serve 12 months.

In 2014, Don, along with Kristen Novay, was appointed by the federal court to represent the southern regional president of the Outlaw Motorcycle Club on charges of obstruction of justice in federal court in the Northern District of Georgia. At the conclusion of the trial, his client was found not guilty of all charges by the judge who directed a verdict of not guilty.

In 2011, Don was lead counsel, along with Kristen Novay, in the successful defense of Dr. Lawrence Egbert, the founder and medical director of Final Exit Network. Dr. Egbert was prosecuted for voluntary manslaughter in Phoenix, Arizona. The State alleged that Dr. Egbert and the Final Exit Network was involved in assisting hundreds of people to commit suicide. Following a three-week trial, the jury returned a not guilty verdict.

In 2000, he was co-counsel along with Ed Garland for Ray Lewis, the Baltimore Ravens All-Pro Linebacker who was charged with a double murder in Atlanta. All charges were dropped just prior to the close of the state's case in exchange for a plea to a misdemeanor with twelve months probation. Along with

Ed Garland, he also represented All-Pro Baltimore Ravens running back Jamal Lewis in 2004 in a federal drug prosecution.

In 2010, Don and his partner represented Pittsburgh Steelers quarterback, Ben Roethlisberger in connection with allegations that he sexually assaulted a college student in Milledgeville, Georgia. The District Attorney was ultimately persuaded to bring no charges against Roethlisberger.

In 2006 he was appointed by the federal court as lead counsel for one of the defendants in an Al Qaeda terrorism case brought in the Northern District of Georgia.

Don was counsel in the case of US v. Sullivan, in which the defendant was charged with hiring a hit man to murder his wife. His wife was killed by a man delivering roses to her house. The case was tried in the United States District Court in Atlanta and the judge dismissed the charges at the close of the government's case, granting a directed verdict of not guilty.

Don was counsel for the Chief Financial Officer in The Gold Club Trial. The trial began as a major organized crime, RICO prosecution, but resulted in a

misdemeanor plea for his client in the fourteenth week of trial with a sentence of 12 months non-reporting probation.

Don was co-counsel in the case of State v. Dorsey, involving murder charges against the Sheriff of Dekalb County who was charged with arranging for the assassination of the man who was elected to replace him as Sheriff.

Over the past 40 years, his clients have also included LeSean McCoy (running back for the Buffalo Bills, Kansas City Chiefs and the Tampa Bay Buccaneers), Rap Star and actor “T.I.”, and Dany Heatley (All Pro Hockey Player).

Don has spoken at seminars throughout the country, including at the Eleventh Circuit Judicial Conference in 1999; the Georgia Superior Court Judges’ Conference every year since 2005; over fifty Continuing Legal Education seminars in Georgia; the American Bar Association annual meeting and the national conference of Federal Public Defenders. He has been a featured speaker at conferences of criminal defense attorneys in Maine, Arizona, Nevada, Utah, Florida, Louisiana, Alabama and Mississippi.

Don is also a frequent guest at CNN and local television programs concerning legal matters.

He is married to the author Melissa Fay Greene, who wrote Praying for Sheetrock, a non-fiction account of the civil rights movement in McIntosh County, Georgia and The Temple Bombing, which chronicled the story of the 1958 bombing of The Temple in Atlanta, Georgia. Both books won several national awards. Melissa also wrote Last Man Out, which describes the ordeal of fifteen coal miners trapped in a mine cave-in in Nova Scotia for ten days. Her most recent books are There Is No Me Without You, a non-fiction work about AIDS in Africa and the orphan crisis it has spawned and No Biking in the House Without a Helmet, a book about raising nine children from three continents. In May 2016, Melissa's newest book, The Underdogs, was published by Harcourt Brace.

Don and Melissa have nine children, including one child they adopted from rural Bulgaria and four children from Ethiopia.