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July 19, 2011

The Honorable Anne C. Conway
Chief Judge
United States District Court for the
Middle District of Florida
Orlando Division
U.S. Courthouse
401 West Central Boulevard
Suite 1200
Orlando, Florida 32801-0120

Re: Issues Concerning the Trying of Cases by United States Attorney Robert
E. O'Neill

Dear Judge Conway:

Enclosed is a [letter](#)¹ I sent to the Honorable James D. Whittemore on July 14, 2011, raising issues regarding the administration of the trial of *United States v. Kevin L. White*, 8:11-cr-00318-JDW-TGW-1, which is to be personally tried by United States Attorney Robert E. O'Neill, in light of matters calling into question the trustworthiness of Mr. O'Neill and the publicizing of those matters. The letter is also the subject of a July 18, 2011 item on the site of the organization Truth in Justice ("[United States Attorney Robert E. O'Neill and the Impending Prosecution of Kevin L. White](#)").

As discussed in the Truth in Justice item, subsequent to posting the letter to Judge Whittemore, I came to understand that since Mr. O'Neill's appointment as United States Attorney he has personally tried at least one other case (*United States v. Jemenez*, 8:11-cr-00197-SCB-TGW). I

¹ As in the letter to Judge Whittemore, underlinings indicate a link to the underlined item in an electronic copy of this letter that may be found by its date on the Letters (Misconduct) sub-page of the Prosecutorial Misconduct page of jpscanlan.com.

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assume that he may personally try other cases as well. Most of the issues raised about Mr. O'Neill's personally trying the *White* case would apply to any case he personally tries.

Sincerely,

/s/ **James P. Scanlan**

James P. Scanlan

Enclosures

cc (without enclosure):

The Honorable James D. Whittemore
United States District Judge

The Honorable Susan C. Bucklew
Senior United States District Judge

The Honorable Robert E. O'Neill
United States Attorney

Jay Macklin, Esq.
General Counsel
Executive Office for United States Attorneys
United States Department of Justice