

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS DIVISION

RICHARD B. SOBOL, et al.,

Plaintiffs,

and

UNITED STATES OF AMERICA
by RAMSEY CLARK, Attorney
General of the United States,

Plaintiff-Intervenor

v.

LEANDER H. PEREZ, SR., et al.,

Defendants.

CIVIL ACTION NO. 67-243

SECTION "E"

COMPLAINT IN INTERVENTION

The United States, plaintiff-intervenor,
alleges:

1. This is a complaint in intervention
filed by the United States pursuant to Rule 24 of
the Federal Rules of Civil Procedure and 42 U.S.C.
2000h-2 (Section 902 of the Civil Rights Act of
1964).

2. On February 22, 1967 the plaintiffs
filed their complaint in this case. An amended
complaint was filed on February 27, 1967. This
action was brought by the plaintiffs on their own
behalf and on behalf of other members of their class.
It seeks injunctive relief to remedy alleged conduct
of the defendants, including the denial to plaintiffs
and the class they represent of the equal protection

of the laws on account of race or color, in violation of the Fourteenth Amendment to the United States Constitution.

3. The Attorney General has certified that this case is of general public importance and his certificate is attached to this complaint in intervention.

4. Plaintiff Richard B. Sobol is an attorney licensed to practice law in the District of Columbia and the State of New York. In association with Robert F. Collins, Nils R. Douglas and Lolis E. Elie, of New Orleans, Louisiana, all of whom are licensed to practice law in Louisiana, Sobol has represented Negroes and civil rights workers in the State and Federal Courts in Louisiana.

5. Plaintiff Gary Duncan is a Negro citizen of Plaquemines Parish, Louisiana. He was represented by Richard B. Sobol, Robert F. Collins and Nils R. Douglass in the case of Louisiana v. Duncan, a case in Plaquemines Parish, Louisiana wherein Duncan was charged with assault and battery for his activities in connection with an attempt to desegregate a local school.

6. Plaintiff Isaac Reynolds is the Southern Regional Director of the Congress of Racial Equality, an organization working to obtain equal civil rights for Negroes.

7. The defendants in this case are Leander H. Perez, Sr., as Chairman of the Plaquemines Parish Council, Leander H. Perez, Jr., as District Attorney

for the Twenty-Fifth Judicial District of Louisiana, and the Honorable Eugene E. Leon, as a District Court Judge in the Twenty-Fifth District of Louisiana.

8. On or about February 21, 1967, defendant Leon issued a warrant for the arrest of the plaintiff against the plaintiff Sobol charging him with the unauthorized practice of law under Sections 213 and 214 of Title 37, Louisiana Revised Statutes. This charge against the plaintiff Sobol was made in connection with his professional activities in the defense of Duncan in the case of Louisiana v. Duncan.

9. The institution and threatened prosecution of criminal proceedings against plaintiff Sobol on the ground of his alleged unauthorized practice of the law in connection with the defense of Duncan in Louisiana v. Duncan has the purpose of deterring plaintiff Sobol, and other lawyers similarly situated, from helping to provide fair and adequate legal representation to Negroes in the local courts in Plaquemines Parish, Louisiana in certain types of cases such as those involving the constitutional and civil rights of Negroes.

10. The institution and threatened prosecution of criminal proceedings against plaintiff Sobol on the ground of his alleged unauthorized practice of the law in connection with the defense of Duncan in Louisiana v. Duncan will have the effect of deterring Sobol, and other lawyers similarly situated, from helping to provide fair and adequate legal representation for Negroes in the local courts of Plaquemines Parish, Louisiana in certain types of cases such as those involving the constitutional and civil rights of Negroes.

11. Negroes in Plaquemines Parish, Louisiana, are less able than white persons, because of their race, to secure in the local courts of Plaquemines Parish, Louisiana adequate representation by counsel licensed to practice law in the State of Louisiana in certain types of cases such as those involving their civil and constitutional rights.

12. The institution and threatened prosecution of such proceedings against plaintiff Sobol by the defendants thereby denies to Negroes in Plaquemines Parish, Louisiana, on account of their race, the equal protection of the laws guaranteed by the Fourteenth Amendment to the Constitution of the United States.

WHEREFORE, the United States, plaintiff-intervenor, prays that this Court issue an order permanently enjoining the defendants, their officers, agents, employees, successors, and all persons acting in concert or participation with them, from:

- (1) Proceeding any further with the prosecution of Richard Sobol in the case of Louisiana v. Sobol presently pending in the District Court for the Twenty-Fifth Judicial District of Louisiana, Docket No. 14998; and from failing to take all necessary steps to dismiss that proceeding and to purge from all official records all evidence of the arrest and institution of that proceeding;
- (2) Arresting or prosecuting, or threatening to arrest or prosecute any person, or otherwise engaging in any act or practice, with the purpose or effect of denying to any person, on account of race or color, fair and adequate legal representation in any court in Plaquemines Parish, Louisiana;

- (3) Arresting or prosecuting, or threatening to arrest or prosecute any attorney who is a member in good standing in any state bar for providing or attempting to provide fair and adequate legal representation for Negroes in cases in the courts in Plaquemines Parish, Louisiana, such as those involving the civil and constitutional rights of Negroes, until such time as the defendants show affirmatively to this Court that Negroes can obtain fair and adequate representation in such cases in the courts in Plaquemines Parish, Louisiana, by lawyers who are members of the bar of the State of Louisiana.

The United States further prays for such additional relief as justice may require, including an order awarding the costs and disbursements of this action.

/s/ Ramsey Clark
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Attorney General

/s/ John Doar
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/s/ Louis C. La Cour
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