

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTERS OF
ROBERT WILLIAM STONE**

**VSB DOCKET NOS. 24-070-132484
25-070-133452
25-070-134976**

**AGREED DISPOSITION MEMORANDUM ORDER
TWO YEAR SUSPENSION**

On December 5, 2025, these matters were heard, telephonically, by the Virginia State Bar Disciplinary Board (the “Board”) upon the joint request of the parties for the Board to accept the Agreed Disposition signed by the parties and offered to the Board as provided by Part Six, Section IV, Paragraph 13-6.H of the Rules of the Supreme Court of Virginia. The panel consisted of Adam M. Carroll, 2nd Vice Chair (the “Chair”); Dawn E. Boyce; John A.C. Keith; Donita M. King; and Tammy Stephenson, Lay Member. The Virginia State Bar was represented by Joseph M. Caturano, Jr., Assistant Bar Counsel. Robert William Stone (the “Respondent”) was present and was not represented by counsel. The Chair polled the members of the Board as to whether any of them were aware of any personal or financial interest or bias which would preclude any of them from fairly hearing these matters to which each member responded in the negative. Beverly Horne, court reporter, Chandler and Halasz, P.O. Box 9349, Richmond, Virginia 23227, telephone (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

WHEREFORE, upon consideration of the Agreed Disposition, the Certifications, and Respondent’s Disciplinary Record, the arguments of the parties, and after due deliberation,

It is **ORDERED** that the Board accepts the Agreed Disposition and the Respondent shall receive a two-year suspension, as set forth in the Agreed Disposition, which is attached and incorporated in this Memorandum Order.

It is further **ORDERED** that the sanction is effective December 5, 2025.

It is further **ORDERED** that the Respondent must comply with the requirements of Part Six, Section IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia. The Respondent must forthwith give notice by certified mail of the Suspension of his license to practice law in the Commonwealth of Virginia, to all clients for whom he is currently handling matters and to all opposing Attorneys and presiding Judges in pending litigation. The Respondent must also make appropriate arrangements for the disposition of matters then in his care in conformity with the wishes of her clients. The Respondent must give such notice immediately and in no event later than fourteen (14) days of the effective date of the Suspension, and make such arrangements as are required herein as soon as is practicable and in no event later than forty-five (45) days of the effective date of the Suspension. The Respondent must also furnish proof to the Clerk of the Disciplinary System of the Virginia State Bar within sixty (60) days of the effective date of the Suspension that such notices have been timely given and such arrangements have been made for the disposition of matters.

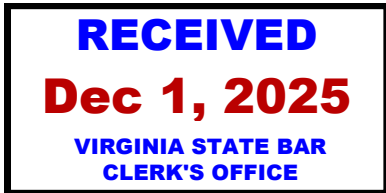
It is further **ORDERED** that if the Respondent is not handling any client matters on the effective date of the Suspension, he shall submit an affidavit to that effect within sixty (60) days of the effective date of the Suspension to the Clerk of the Disciplinary System at the Virginia State Bar. The Board must decide all issues concerning the adequacy of the notice and arrangements required herein. The burden of proof shall be on the Respondent to show compliance. If the Respondent fails to show compliance, the Board may impose a sanction of Revocation or additional Suspension for failure to comply with the requirements of subparagraph 13-29.

It is further **ORDERED** that pursuant to Part Six, Section IV, Paragraph 13-9.E, of the Rules of the Supreme Court of Virginia, the Clerk shall assess all costs against the Respondent.

It is further **ORDERED** that an attested copy of this Order be mailed by the Clerk to the Respondent by electronic, first-class and certified mail, return receipt requested, to his Virginia State Bar address of record, at Stone Law Group, PLC P.O. Box 640 Harrisonburg, VA 22801-0640, and a copy by electronic mail to Joseph M. Caturano, Jr, Assistant Bar Counsel.

ENTERED THIS 5th DAY OF DECEMBER, 2025
VIRGINIA STATE BAR DISCIPLINARY BOARD


Adam M. Carroll
2nd Vice Chair



VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTERS OF
ROBERT WILLIAM STONE

VSB DOCKET NOS. 24-070-132484
25-070-133452
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AGREED DISPOSITION
TWO YEAR SUSPENSION

Pursuant to Part 6, Section IV, Paragraph 13-6.H of the Rules of the Supreme Court of Virginia, the Virginia State Bar by Joseph M. Caturano, Jr., Assistant Bar Counsel, and Robert William Stone (“Respondent”), hereby enter into the following Agreed Disposition arising out of the referenced matters.

VSB Docket Nos. 24-070-132484 and 25-070-133452

I. STIPULATIONS OF FACT

1. Respondent was admitted to the Virginia State Bar (“VSB”) in 2000. At all relevant times, Respondent was a member of the VSB.
2. On June 28, 2024, the Court of Appeals of Virginia (“CAV”), pursuant to Rule 5A:1A(b) of the Rules of the Supreme Court of Virginia, *Penalties for Non-compliance; Show Cause; Dismissal*, reported Respondent who was counsel of record in several cases that were dismissed by the CAV upon procedural default grounds to the VSB in accordance with Rule 8.3, *Reporting Misconduct*, of the Virginia Rules of Professional Conduct.
3. On October 1, 2024, Matthew J. Good filed a complaint with the VSB stating, in part, “[Respondent] did not initiate the appellate proceedings as requested ...” and the appeal was therefore dismissed by the CAV.
4. Specifically, Respondent was court-appointed counsel to Michael P. Savage, Timothy W. Turner, Mollie M. McWhorter, and Matthew J. Good in appeals to the CAV. Between June 2023 and February 2024, Respondent failed to file opening briefs that resulted in the dismissal of their appeals upon procedural default grounds:

Savage v. Commonwealth Record No. 0709-23-4;

Turner v. Commonwealth Record No. 0609-23-4;
McWhorter v. Commonwealth Record No. 1479-23-4; and
Good v. Commonwealth Record No. 1601-23-4.

5. Respondent acknowledged to the investigator for the VSB that his failure to file the required briefs with the CAV caused the dismissal of the appeals. Respondent reported that at the relevant times he was struggling with a large caseload with which he was overwhelmed. Respondent further reported that he suffers from severe depression which affects his ability to practice law at times. Respondent reports that his depression has been particularly bad since early 2023. Respondent has been receiving treatment by physicians.
6. Respondent reported to the investigator for the VSB that beginning in January 2024, he took steps to lighten his workload such as removing his name from some court-appointed attorney lists.

Michael P. Savage: VSB No. 24-070-132484

7. Criminal charges of larceny were adjudicated in the Page County Circuit Court (“Court”) against Michael P. Savage (“Mr. Savage”). Mr. Savage was ordered, in part, to a term of probation.
8. In March 2023, Mr. Savage was brought before the Court upon alleged probation violations. On March 31, 2023, the Court issued an order revoking, in part, the suspended sentence previously imposed upon Mr. Savage.
9. Respondent was court-appointed to represent Mr. Savage on appeal to the CAV on the revocation of the suspended sentence.
10. On April 26, 2023, Respondent filed a Notice of Appeal with the CAV on behalf of Mr. Savage.
11. While Mr. Savage was confined in a regional jail, Respondent met with Mr. Savage only one time at which time Respondent explained the appeal process and the bases and merits of Mr. Savage’s appeal. Respondent did not otherwise communicate with Mr. Savage.
12. Following that meeting with Mr. Savage, Respondent did not comply with reasonable requests for information from Mr. Savage and did not explain the matter to the extent reasonably necessary to permit Mr. Savage to make informed decisions regarding the representation on the appeal. Mr. Savage stated to the investigator for the VSB that he asked Respondent to contact Ms. Lam, on behalf of Mr. Savage, or gave permission to Respondent to discuss the matter with Ms. Lam, but Respondent did not hear from Ms. Lam.
13. By Order entered September 29, 2023, the CAV dismissed the appeal pursuant to Rule 5A:26 of the Rules of the Supreme Court of Virginia because Respondent failed to timely

file an opening brief.

14. On September 29, 2023, the CAV notified Respondent in writing that he “may want to consider filing a motion for a delayed appeal pursuant to Va. Code§ 19.2-321.1.”
15. Respondent failed to inform Mr. Savage that his appeal had been dismissed by the CAV upon a procedural default. Respondent also failed to discuss with Mr. Savage the possibility of filing a motion for a delayed appeal with the CAV. Mr. Savage did not learn of the dismissal until a VSB investigator told him about it on November 21, 2024.
16. Respondent failed to act on the correspondence of September 29, 2023, from the CAV, as he failed to file a motion for a delayed appeal pursuant to Virginia law.
17. Respondent acknowledged to the investigator for the VSB that his failure to file the required opening brief with the CAV by the due date caused the dismissal of the appeal.
18. Respondent also failed to assist Mr. Savage in exploring any other legal remedies given Respondent’s failure to perfect the appeal for Mr. Savage.

Timothy W. Turner: VSB No. 24-070-132484

19. Criminal charges of assault and battery on a family member were adjudicated in the Page County Circuit Court (“Court”) against Timothy W. Turner (“Mr. Turner”).
20. In October 2023, Mr. Turner was brought before the Court upon alleged probation violations. On October 16, 2019, the Court issued an order revoking, in part, the suspended sentence previously imposed upon Mr. Turner.
21. On February 2, 2022, the Court found that Mr. Turner had been improperly denied his right to appeal upon a petition for writ of habeas corpus and ordered the Commonwealth to petition the CAV for Mr. Turner to seek a delayed appeal.
22. On March 2, 2022, the CAV granted the motion for a delayed appeal, and Mr. Turner’s previous attorney, Joseph H. Harrington (“Mr. Harrington”) then filed a Notice of Appeal on September 13, 2022.
23. On April 17, 2023, Mr. Harrington filed a motion to withdraw as counsel for Mr. Turner in the appeal and a motion for an extension of time to file an opening brief with the CAV.
24. By Order entered April 27, 2023, the CAV granted the motion to withdraw by Mr. Harrington, noted Respondent’s appointment and appearance as counsel of record for Mr. Turner in the appeal, and stated the time for filing the opening brief commenced on the date of entry of the Order, on April 27, 2023.
25. When Respondent was appointed by the CAV to Mr. Turner’s appeal, Mr. Turner was in custody. Respondent stated to the investigator for the VSB that he had intended to meet

and discuss the matter with Mr. Turner but acknowledged that he never met with Mr. Turner.

26. After the appointment of counsel, Mr. Turner wrote letters to Respondent and sent a copy of at least one of those letters to the CAV, attempting to get Respondent's attention. Mr. Turner also tried to call Respondent on the telephone "at least ten times" but did not hear back from Respondent. Mr. Turner's mother and brother also attempted to contact Respondent approximately five to seven times, with no success. Respondent never replied to Mr. Turner or his mother or his brother on their questions.
27. Respondent did not explain the matter to the extent reasonably necessary to permit Mr. Turner to make informed decisions regarding the representation on the appeal. Given that Respondent had no contact whatsoever with Mr. Turner or his family, Respondent never explained the appeal process to Mr. Turner or discussed the underlying facts of the case with Mr. Turner.
28. By Order entered June 30, 2023, the CAV dismissed the appeal pursuant to Rule 5A:26 of the Rules of the Supreme Court of Virginia because Respondent failed to timely file an opening brief.
29. Respondent acknowledged that he failed to file the opening brief prior to the deadline, and that he also failed to inform Mr. Turner that his appeal to the CAV had been dismissed due to a procedural default.
30. On June 30, 2023, the CAV notified Respondent in writing that he "may want to consider filing a motion for a delayed appeal pursuant to Va. Code§ 19.2-321.1."
31. Respondent stated in his response to the bar complaint that, "When the appeal was dismissed, I planned to file a late appeal but was not aware of the limited amount of time during which it could be filed."
32. As conceded, Respondent failed to discuss with Mr. Turner the dismissal of his appeal due to a procedural default. Respondent also failed to discuss with Mr. Turner the possibility of filing a motion for a delayed appeal with the CAV.
33. Respondent failed to file a motion for a delayed appeal pursuant to Virginia law.
34. Respondent also failed to assist Mr. Turner in exploring any other legal remedies given Respondent's failure to perfect the appeal for Mr. Turner.

Mollie M. McWhorter: VSB No. 24-070-132484

35. Criminal charges involving assault and battery on a law enforcement officer and felony alluding were adjudicated in the Page County Circuit Court ("Court") against Mollie M. McWhorter ("Ms. McWhorter"). Ms. McWhorter was found not guilty by reason of insanity by Order dated October 17, 2022. The Court approved a conditional release plan

for Ms. McWhorter on July 31, 2023. Respondent did not represent Ms. McWhorter for those proceedings.

36. Respondent was court-appointed to represent Ms. McWhorter on appeal to the CAV as Ms. McWhorter decided to appeal the condition that she refrain from the use of marijuana.
37. On August 23, 2023, Respondent filed a Notice of Appeal with the CAV on behalf of Ms. McWhorter.
38. On December 27, 2023, Respondent filed a Motion for Extension of Time to file the opening brief with the CAV due to omissions from the trial record, specifically the Order from which the appeal was taken and defense evidence admitted at the hearing on the conditional release plan.
39. By Order entered January 10, 2024, the CAV granted Respondent's request for an extension of time to file an opening brief; the due date for the opening brief in Ms. McWhorter's appeal was January 26, 2024.
40. Ms. McWhorter called Respondent and left voicemails "at least once per month" over the course of months for a status update. Ms. McWhorter was unsuccessful in reaching Respondent except on one occasion.
41. As Ms. McWhorter was unable to communicate with Respondent, she contacted the Community Services Board in an attempt to contact Respondent on the status of her appeal. The case worker for Ms. McWhorter with the Community Services Board also attempted numerous times to contact Respondent without success.
42. Given the above, Respondent did not comply with reasonable requests for information from Ms. McWhorter and did not explain the matter to the extent reasonably necessary to permit Ms. McWhorter to make informed decisions regarding the representation. Ms. McWhorter stated to the investigator for the VSB that Respondent failed to inform her of the appeal process and that she further "begged [Respondent] to fight for [her]," but that Respondent "never explained the appeal process" to her.
43. Respondent stated, "...I was running short on time, and I couldn't make heads or tails of the trial court record," and then "the deadline for the appeal passed."
44. By Order entered February 16, 2024, the CAV dismissed the appeal pursuant to Rule 5A:26 of the Rules of the Supreme Court of Virginia as Respondent failed to timely file an opening brief by January 26, 2024.
45. Respondent failed to inform Ms. McWhorter that her appeal to the CAV had been dismissed due to a procedural default.
46. Respondent failed to file a motion for a delayed appeal pursuant to Virginia law.

47. Ms. McWhorter learned of the procedural default and dismissal by contacting the CAV to inquire on the status of her appeal.

Matthew J. Good: VSB No. 24-070-132484 and VSB No. 25-070-133452

48. Criminal charges involving the possession of a controlled substance, among other things, were adjudicated in the Page County Circuit Court (“Court”) against Matthew J. Good (“Mr. Good”). Mr. Good was ordered, in part, to a term of probation.
49. In August 2023, Mr. Good was brought before the Court upon alleged probation violations. On August 16, 2023, the Court issued an Order revoking, in part, the suspended sentences previously imposed upon Mr. Good.
50. On August 16, 2023, Mr. Good instructed Respondent to file a motion to reconsider the Court’s ruling and appeal the sentence imposed upon him after the Court revoked Mr. Good’s suspended sentence.
51. On September 13, 2023, Respondent filed a Notice of Appeal on behalf of Mr. Good with the CAV.
52. On October 25, 2023, Respondent filed a Motion for Reconsideration.
53. Respondent met with Mr. Good during the pendency of the Motion for Reconsideration which was heard by the Court on February 14, 2024. Respondent also spoke with Mr. Good’s mother about the hearing on the Motion for Reconsideration. Respondent met with Mr. Good after the Motion to Reconsider was denied about the appeal to the CAV.
54. Mr. Good called Respondent several times to get an update on his appeal with no success. Moreover, Mr. Good’s mother attempted to contact Respondent numerous times, via telephone and email, but her attempts to communicate with Respondent were also unsuccessful.
55. Respondent did not comply with reasonable requests for information from Mr. Good and did not explain the matter to the extent reasonably necessary to permit Mr. Good to make informed decisions regarding the representation.
56. By Order entered February 2, 2024, the CAV dismissed the appeal pursuant to Rule 5A:26 of the Rules of the Supreme Court of Virginia as Respondent failed to file an opening brief.
57. On February 2, 2024, the CAV notified Respondent in writing that he “may want to consider filing a motion for a delayed appeal pursuant to Va. Code§ 19.2-321.1.”
58. Respondent failed to inform Mr. Good that his appeal to the CAV had been procedurally defaulted and dismissed by the CAV. Respondent also failed to discuss with Mr. Good the possibility of filing a motion for a delayed appeal with the CAV. Mr. Good learned of the procedural default and dismissal from the VSB.

59. Respondent failed to act on the correspondence from the CAV on February 2, 2024, as he failed to file a motion for a delayed appeal pursuant to Virginia law.
60. Respondent also failed to assist Mr. Good in exploring any other legal remedies given Respondent's failure to perfect the appeal for Mr. Good. When asked by the investigator for the VSB whether he knows the status of his case or the appeal, Mr. Good responded, "I have no clue."

II STIPULATIONS AS TO MISCONDUCT

Such conduct by Respondent as set forth above pertaining to the appellate representation of Michael P. Savage, Timothy W. Turner, Mollie M. McWhorter, and Matthew J. Good constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

By failing to take the necessary actions to pursue the objectives of the clients he was court-appointed to represent in criminal appeals, including by failing to:

- (1) timely file an opening brief and/or request an extension to do so if he was unable to meet the deadline,*
- (2) take all steps to correct his failure to timely file the opening brief while the Court of Appeals of Virginia retained jurisdiction over the appeal,*
- (3) consult with his clients regarding whether to file a motion for a delayed appeal and, if consistent with his clients' wishes, file a motion for delayed appeal on behalf of his clients,*
- (4) correct or take any further action on behalf of his clients, including advising his clients of his failures and their options, including a petition for writ of habeas corpus, and his willingness to assist successor counsel, if any, in that effort, Respondent violated Rules 1.1, 1.3(a), and 1.3(b).*

RULE 1.1 Competence

A lawyer shall provide competent representation to a client. Competent representation

requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

RULE 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a client.

(b) A lawyer shall not intentionally fail to carry out a contract of employment entered into with a client for professional services, but may withdraw as permitted under Rule 1.16.

By failing:

(1) to communicate with his clients upon his appointment as counsel and within the time to file the opening brief,

(2) to tell his clients that the appeals were dismissed because Respondent failed to file the opening briefs,

(3) to communicate with his clients upon his clients' repeated reasonable requests for information,

(4) to explain to his clients their options as a result of Respondent's failure to file the opening briefs, including the possibility of filing a motion for a delayed appeal, Respondent violated Rule 1.4(a) and (b).

RULE 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

James M. Barkalow: VSB Docket No. 25-070-134976

I. STIPULATIONS OF FACT

1. By Order of May 11, 2023, the Rockingham County Circuit Court found James M. Barkalow (“Mr. Barkalow”) guilty of Electronic Solicitation of a Child.
2. By Order of December 22, 2023, the Rockingham County Circuit Court sentenced Mr. Barkalow to incarceration for 15 years with 10 years suspended.
3. On January 4, 2024, Mr. Barkalow filed a Notice of Appeal, *pro se*, and an Application for Indigent Defense Services for court-appointed counsel on the appeal.
4. On March 21, 2024, the Rockingham County Circuit Court appointed Respondent as counsel for Mr. Barkalow on the appeal to the Court of Appeals of Virginia (“CAV”).
5. On April 17, 2024, the CAV notified Respondent that the lower court record was received on April 17, 2024, and that the time for filing the Opening Brief ran from that date.
6. On April 18, 2024, Respondent filed a Motion for Extension of Time to File Transcripts with the CAV.
7. On April 19, 2024, the CAV denied Respondent’s Motion for Extension of Time to File Transcripts as not timely filed. Also on April 19, 2024, the CAV notified Respondent that he “may want to consider filing a motion for a delayed appeal pursuant to Va. Code § 19.2-321.1.”
8. On April 25, 2024, Respondent sent correspondence to the court reporter from the trial that the Motion for Extension of Time to File Transcripts was denied by the CAV, and that he was “going to try a late appeal.”
9. On April 26, 2024, the Rockingham County Circuit Court entered an Order to Prepare the Transcripts at the request of Respondent.
10. By Order of June 21, 2024, the CAV dismissed the appeal pursuant to Rule 5A:26 of the Rules of the Supreme Court of Virginia because no opening brief was filed by Respondent. Again, on June 21, 2024, the CAV notified Respondent that he “may want to consider filing a motion for a delayed appeal pursuant to Va. Code § 19.2-321.1.”
11. From July 2024 to date, Respondent failed to return dozens of telephone calls, messages, and other attempts to communicate with Mr. Barkalow. Moreover, Respondent never met with Mr. Barkalow in person despite an assurance that he would meet with Mr. Barkalow

to discuss the appeal and answer any questions on the appeal process.

12. Additionally, Respondent did not comply with reasonable requests for information from Mr. Barkalow and did not explain the matter to the extent reasonably necessary to permit Mr. Barkalow to make informed decisions regarding the representation on appeal. Respondent failed to provide Mr. Barkalow or anyone on behalf of Mr. Barkalow with any status updates or any information on the issues in the appeal. On November 18, 2024, Mr. Barkalow's sister wrote to Respondent, in part,

... My brother (Matt Barkalow) has been trying relentlessly to reach you via phone to get updates about the progress of his appeal ... He would like an update on how things are proceeding ...

Respondent failed to respond.

13. Likewise, Respondent failed to discuss with Mr. Barkalow the filing of a Motion for a Delayed Appeal with the CAV upon the procedural default and dismissal of the appeal.
14. Unbeknownst to Mr. Barkalow, on December 23, 2024, Respondent filed a Motion for a Delayed Appeal with the CAV, approximately six (6) months after the procedural default and dismissal of Mr. Barkalow's appeal.
15. Following, and despite correspondence on January 8, 2025, and February 10, 2025, from the CAV to Respondent that an Affidavit must be included with the Motion, pursuant to Va. Code § 19.2-321.1, Respondent failed to file an Affidavit or otherwise properly present the issue to the CAV for consideration. As a result, the CAV denied the Motion for a Delayed Appeal on March 6, 2025.
16. Since the denial of the Motion for a Delayed Appeal on March 6, 2025, Respondent has continued his failure to communicate at all with Mr. Barkalow.
17. Specifically, Respondent has failed to discuss with Mr. Barkalow the ability to seek a delayed appeal by a Petition for a Writ of Habeas Corpus. And Respondent failed to assist Mr. Barkalow in exploring any other legal remedies given Respondent's failure to perfect the appeal for Mr. Barkalow in the CAV.
18. On March 7, 2025, Respondent drafted a one-page letter to Mr. Barkalow on the status of the appeal. In that draft correspondence, Respondent briefly identified the issues in the appeal, including, denial of the Motion for Extension, the dismissal of the appeal because of the failure to file an Opening Brief, the Motion for a Delayed Appeal, and the denial of the Motion for a Delayed Appeal because no Affidavit was filed by Respondent. Despite drafting the letter, Respondent stated to the investigator for the VSB that he did not send the letter to Mr. Barkalow because when he received the bar complaint from Mr. Barkalow, Respondent "just kind of stopped everything at that point to see where the complaint went."

II. STIPULATIONS AS TO MISCONDUCT

Such conduct by Respondent as set forth above pertaining to the appellate representation of James M. Barkalow constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

By failing to take the necessary actions to pursue the objectives of the client he was court-appointed to represent in the criminal appeal, including by failing to:

(1) timely file an opening brief and/or properly request an extension to do so if he was unable to meet the deadline,

(2) take all steps to correct his failure to timely file the opening brief while the Court of Appeals of Virginia retained jurisdiction over the appeal,

(3) consult with his client regarding whether to file a motion for a delayed appeal and, if consistent with his client's wishes, file a motion for delayed appeal on behalf of his client,

(4) correct or take any further action on behalf of his client, including advising his client of his failures and his client's options, including a petition for writ of habeas corpus, and his willingness to assist successor counsel, if any, in that effort,

Respondent violated Rules 1.1, 1.3(a), and 1.3(b).

RULE 1.1 Competence

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

RULE 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a

client.

(b) A lawyer shall not intentionally fail to carry out a contract of employment entered into with a client for professional services, but may withdraw as permitted under Rule 1.16.

By failing to abide by his client's decisions concerning the appeal, namely, that the appeal be perfected, and by failing to consult with his client as to the means by which the objectives were to be pursued in the appeal, Respondent violated Rule 1.2(a):

RULE 1.2 Scope of Representation

(a) A lawyer shall abide by a client's decisions concerning the objectives of representation, subject to paragraphs (b), (c), and (d), and shall consult with the client as to the means by which they are to be pursued.

By failing:

- (1) to communicate with his client upon his appointment as counsel and within the time to file the opening brief,*
- (2) to fully explain to his client that the appeal was dismissed because Respondent failed to file the opening brief,*
- (3) to communicate with his client upon his client's repeated reasonable requests for information,*
- (4) to explain to his client his options as a result of Respondent's failure to file the opening brief, including the possibility of filing a motion for a delayed appeal, Respondent violated Rule 1.4(a) and (b).*

RULE 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the

client to make informed decisions regarding the representation.

By:

- (1) Deliberately withholding the facts from his client on Respondent's failure to file the opening brief causing the dismissal of the appeal;*
- (2) Deliberately withholding the facts from his client surrounding the filing of a Motion for a Delayed Appeal in the Court of Appeals of Virginia, filed by Respondent without the knowledge or consent of his client;*
- (3) Deliberately withholding the facts from his client on the denial on the Motion for a Delayed Appeal because no Affidavit was filed by Respondent despite requests from the Court of Appeals of Virginia for such Affidavit;*
- (4) Deliberately abandoning his client, causing his client to remain unaware that his appeal to the CAV had been dismissed and remain unaware of the status going forward; and*
- (5) Deliberately refusing to inform his client of the status per Respondent's draft letter, dated March 7, 2025, of the foregoing until the pending bar complaint matter is resolved, Respondent violated Rule 8.4(b).*

RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

- (b)** commit a ... deliberately wrongful act that reflects adversely on the lawyer's ... fitness to practice law.

III. PROPOSED DISPOSITION

Accordingly, Joseph M. Caturano, Jr., Assistant Bar Counsel, and Robert William Stone, Respondent, tender to the Disciplinary Board of the Virginia State Bar for its approval the Agreed Disposition of a Two-Year Suspension as representing an appropriate sanction if these matters were to be heard through an evidentiary hearing by the Disciplinary Board.

Assistant Bar Counsel and Respondent agree the effective date for the sanction herein imposed shall be the date of entry of the Order approving this Agreed Disposition.

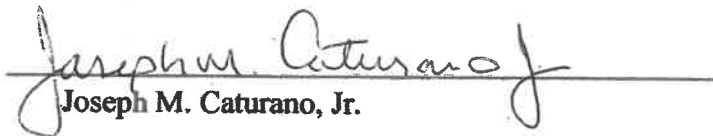
Pursuant to Part 6, Section IV, Paragraph 13-30.B of the Rules of the Supreme Court of Virginia, Respondent's disciplinary history shall be furnished to the Board considering this Agreed Disposition.

If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess costs pursuant to Part 6, Section IV, Paragraph 13-9.E of the Rules of the Supreme Court of Virginia.



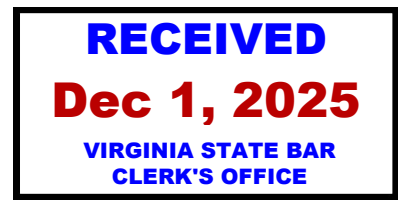
Robert William Stone

11/26/25
Date



Joseph M. Caturano, Jr.

12/1/25
Date



Virginia State Bar

1111 East Main Street, Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0500

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December 1, 2025

CONFIDENTIAL

BY EMAIL ONLY: clerk@vsb.org

Hon. Joanne Fronfelter
Clerk of the Disciplinary System
Virginia State Bar
1111 East Main Street, Suite 700
Richmond, Virginia 23219-0026

Re: In the Matters of Robert William Stone
VSB Docket No. 24-070-132484, 25-070-133452, and 25-070-134976

Dear Ms. Fronfelter:

Please find enclosed a fully endorsed, proposed Agreed Disposition in the matters referenced above, which are pending before the Disciplinary Board.

Please let me know if you need any additional information.

Sincerely,

Joseph M. Caturano, Jr.
Assistant Bar Counsel

JMC/sm

Enclosure

cc: Robert W. Stone, Respondent, by email only