

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
WILLIAM FRANKLIN BURTON**

VSB DOCKET NO. 21-000-121116

**AGREED DISPOSITION MEMORANDUM ORDER
REVOCATION**

On Thursday, November 12, 2020 this matter was heard by the Virginia State Bar Disciplinary 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 6, Section IV, Paragraph 13-6.H of the Rules of the Supreme Court of Virginia. The panel consisted of Thomas R. Scott, Jr., (Chair), David J. Gogal, Kamala H. Lannetti, Alexander Simon and Anderson W. Douthat IV (Lay Member). The Virginia State Bar was represented by M. Brent Saunders, Senior Assistant Bar Counsel. William Franklin Burton 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 the matter to which each member responded in the negative. Court Reporter Beverly Lukowsky, 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, Rule to Show Cause and Order of Summary Suspension and Notice of Hearing, Respondent's Disciplinary Record, the arguments of the parties, and after due deliberation,

It is **ORDERED** that the Disciplinary Board accepts the Agreed Disposition for the Revocation of Respondent's license, 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 November 12, 2020.

It is further **ORDERED** that:

The Respondent must comply with the requirements of Part 6, Section IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia. The Respondent shall forthwith give notice by certified mail of the Revocation or Suspension of his or her license to practice law in the Commonwealth of Virginia, to all clients for whom he or she is currently handling matters and to all opposing attorneys and presiding Judges in pending litigation. The Respondent shall also make appropriate arrangements for the disposition of matters then in his or her care in conformity with the wishes of his or her clients. The Respondent shall give such notice within 14 days of the effective date of the Revocation or Suspension, and make such arrangements as are required herein within 45 days of the effective date of the Revocation or Suspension. The Respondent shall also furnish proof to the Bar within 60 days of the effective day of the Revocation or Suspension that such notices have been timely given and such arrangements 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 Revocation or Suspension, he or she shall submit an affidavit to that effect within 60 days of the effective date of the Revocation or Suspension to the Clerk of the Disciplinary System at the Virginia State Bar. All issues concerning the adequacy of the notice and arrangements required by Paragraph 13-29 shall be determined by the Virginia State Bar Disciplinary Board, which may impose a sanction of Revocation or additional Suspension for failure to comply with the requirements of this subparagraph.

The Clerk of the Disciplinary System shall assess costs pursuant to Part 6, Section IV, Paragraph 13-9.E. of the Rules.

It is further **ORDERED** that an attested copy of this Order be mailed to the Respondent by certified mail, return receipt requested, regular and electronic mail to his last address of

record with the Virginia State Bar at Burton Law, LLC, Suite 600, 5425 Wisconsin Avenue,
Chevy Chase, MD 20815, and a copy by electronic mail to M. Brent Saunders, Senior Assistant
Bar Counsel, Virginia State Bar, 1111 East Main Street, Richmond, VA 23219.

Enter this Order this 12th day of November, 2020

VIRGINIA STATE BAR DISCIPLINARY BOARD



Thomas R. Scott, Jr.
Second Vice Chair



VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
WILLIAM FRANKLIN BURTON

VS B Docket No. 21-000-121116

AGREED DISPOSITION FOR IMPOSITION OF RECIPROCAL DISCIPLINE

Pursuant to Part 6, § IV, ¶ 13-6(H) and 13-24 of the Rules of the Supreme Court of Virginia, the Virginia State Bar, by M. Brent Saunders, Senior Assistant Bar Counsel, and William Franklin Burton, Respondent, *pro se*, hereby enter into the following Agreed Disposition.

I. STIPULATIONS OF FACT

1. Respondent was licensed to practice law in the Commonwealth of Virginia in 1991, the District of Columbia in 1992 and the State of Maryland in 2004.

2. On or about October 9, 2020, Respondent and the Attorney Grievance Commission of Maryland filed in the Court of Appeals of Maryland a Joint Petition for Disbarment by Consent in which Respondent, *inter alia*, consented to being disbarred in Maryland based on his violation of multiple provisions of the Maryland Attorneys' Rules of Professional Conduct. See Exhibit A.

3. By Order entered on October 13, 2020, the Court of Appeals of Maryland disbarred Respondent from the practice of law in the State of Maryland, effective October 13, 2020, for engaging in professional misconduct that violated Rules 1.1, 1.3, 1.4(a)(2)-(3) and (b), 1.5(a), 1.16(d), 3.4(d), 8.1(b), and 8.4(a), (c) and (d) of the Maryland Attorneys' Rules of Professional Conduct. See Exhibit B.

5. On October 29, 2020, the Virginia State Bar Disciplinary Board "(Board)" issued a Rule to Show Cause and Order of Summary Suspension and Notice of Hearing against Respondent to show cause why the same discipline imposed in Maryland should not be imposed by the Board.

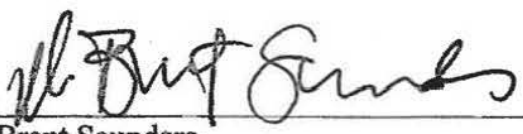
6. Respondent agrees that the same discipline imposed in Maryland should be imposed by the Board and waives any rights under Part 6, § IV, ¶ 13-24 of the Rules of the Supreme Court of Virginia.

II. PROPOSED DISPOSITION

Accordingly, Senior Assistant Bar Counsel and Respondent hereby tender to the Board for its approval an agreed disposition for the revocation of Respondent's license to practice law in the Commonwealth of Virginia.

If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess an administrative fee.

THE VIRGINIA STATE BAR

By: 
M. Brent Saunders
Senior Assistant Bar Counsel


William Franklin Burton
Respondent

ATTORNEY GRIEVANCE COMMISSION
OF MARYLAND
200 Harry S. Truman Parkway, Suite 300
Annapolis, Maryland 21401

Petitioner,

v.

WILLIAM FRANKLIN BURTON
11400 December Way, Apt. 102
Silver Spring, Maryland 20904

Respondent.

* IN THE
* COURT OF APPEALS
* OF MARYLAND
*
* Misc. Docket AG
* No. 0004
* September Term, 2020
*
* In the Circuit Court
* for Montgomery County
* Case No. 481109-V
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JOINT PETITION FOR DISBARMENT BY CONSENT

The Attorney Grievance Commission of Maryland, Petitioner, by Lydia E. Lawless, Bar Counsel, Raymond A. Hein, Deputy Bar Counsel, and Brittany L. Strickland, Assistant Bar Counsel, its attorneys, and William Franklin Burton, Respondent, jointly petition this Honorable Court pursuant to Maryland Rule 19-736 for entry of an Order disbarring the Respondent by consent from the practice of law in this State and state as follows:

1. The Respondent was admitted to the Bar of this Court on December 28, 2004. Prior to his admission to practice in Maryland, he was admitted to the Virginia State Bar on April 25, 1991 and to the District of Columbia Bar on January 24, 1992.
2. In or about June 2014, the Respondent established a law practice in Chevy Chase, Maryland with Edward E. Moawad and George R. Adams under the firm name of Adams, Burton & Moawad, P.C. (hereinafter "the ABM firm"). The ABM firm continued to operate until approximately the end of December 2017. In January 2018, the Respondent and Edward Moawad established a new practice operating as Moawad & Burton, P.C.



(hereinafter “the MB firm”) at the same office location in Chevy Chase.

3. On or about October 5, 2018, the Respondent departed from the MB firm and established a solo law practice in Chevy Chase under the firm name of Burton Law, LLC. He continued to practice law as a sole practitioner until a few months ago.

4. By an Agreed Disposition Memorandum Order entered May 20, 2020, the Virginia State Bar Disciplinary Board suspended the Respondent from the practice of law in Virginia for a period of one year and one day, effective the same date. *In the Matter of William Franklin Burton*, VSB Docket No. 19-051-115210.

5. By an Order filed August 27, 2020, the District of Columbia Court of Appeals suspended the Respondent for a period of one year and one day in the District of Columbia as reciprocal discipline, “with reinstatement contingent on a showing of fitness and compliance with the conditions imposed by the state of Virginia.” *In re: William F. Burton*, No. 20-BG-380.

6. On March 18, 2020, the Petitioner filed in this Court a Petition for Disciplinary or Remedial Action (hereinafter “the petition”) against the Respondent. The charges contained in the petition are separate from and unrelated to the conduct for which the Virginia State Bar and the District of Columbia Court of Appeals have suspended the Respondent. For the most part, the allegations set forth in the petition involve events that occurred during the Respondent’s tenures with the ABM firm and the MB firm.

7. By its Order dated March 20, 2020, this Court transmitted the charges contained in the petition to the Circuit Court for Montgomery County to be heard and

determined by Judge Harry C. Storm in accordance with Maryland Rule 19-727. The Respondent was served and has filed an answer to the petition. Pursuant to a Scheduling Order dated June 19, 2020, the matter is scheduled for a hearing set to begin on October 26, 2020.

8. The parties have conferred regarding the appropriate disposition, and the Respondent now consents to disbarment as the sanction for his professional misconduct as alleged in the petition. The Respondent acknowledges that if a hearing were to be held, sufficient evidence could be produced to sustain the factual averments, in whole or in substantial part, pertaining to his handling of six client matters identified in the petition and his repeated failures to respond to Bar Counsel's lawful demands for information as set forth in the section titled "Bar Counsel's Investigations."

9. In connection with his representation of Chalaem Kitburi in a divorce matter and his failure to respond to attempted communications from Ms. Kitburi's successor counsel about obtaining materials from Ms. Kitburi's client file, the Respondent acknowledges there is sufficient evidence to establish that he violated the following Maryland Attorneys' Rules of Professional Conduct ("MARPC"): Rule 1.1 (competence); Rule 1.3 (diligence); Rule 1.4(a)(2)-(3) and (b) (communication); Rule 1.16(d) (declining or terminating representation); and Rule 8.4(d) (misconduct).

10. In connection with his representation of Dolly Issa in a divorce matter, the Respondent acknowledges there is sufficient evidence to establish that he violated the following MARPC: Rule 1.1 (competence); Rule 1.3 (diligence); Rule 1.4 (a)(2)-(3) and (b)

(communication); and Rule 8.4(c) and (d) (misconduct). The Respondent does not admit that he intended to deceive Ms. Issa, but he acknowledges sufficient evidence could be produced to establish he knowingly made a false statement or statements to her concerning the status of the representation. *See Att'y Griev. Comm'n v. Siskind*, 401 Md. 41, 70, 930 A.2d 328, 345 (2007) (no intent to deceive is necessary to prove a violation of Rule 8.4(c) based on false statements).

11. In connection with his retention by Elvira Dabylkhanova to represent Ms. Dabylkhanova's mother in an immigration matter, the Respondent acknowledges there is sufficient evidence to establish that he violated the following MARPC: Rule 1.1 (competence); Rule 1.3 (diligence); Rule 1.4(a)(2)-(3) and (b) (communication); and Rule 8.4(c) and (d) (misconduct). The Respondent does not admit that he intended to deceive Ms. Dabylkhanova, but he acknowledges sufficient evidence could be produced to establish he knowingly made a false statement or statements to her concerning the status of the representation. *See Siskind, supra*.

12. In connection with his representation of Ahmad Harb's company, Talents & Events, LLC, with respect to obtaining P-3 visas for two artists/entertainers, the Respondent acknowledges there is sufficient evidence to establish that he violated the following MARPC: Rule 1.1 (competence), Rule 1.3 (diligence); Rule 1.4(a)(2)-(3) (communication); Rule 1.16(d) (declining or terminating representation); and Rule 8.4(c) and (d) (misconduct). The Respondent does not admit that he intended to deceive Mr. Harb, but he acknowledges sufficient evidence could be produced to establish he knowingly made a false statement or

statements to him concerning the status of the representation. *See Siskind, supra.*

13. In connection with his representation of Baha Hamideh in an immigration matter, the Respondent acknowledges there is sufficient evidence to establish that he violated the following MARPC: Rule 1.1 (competence); Rule 1.3 (diligence); Rule 1.4(a)(2)-(3) and (b) (communication); and Rule 1.16(d) (declining or terminating representation).

14. In connection with his representation of Solomon Gebreyesus in a divorce matter, the Respondent acknowledges there is sufficient evidence to establish that he violated the following MARPC: Rule 1.1 (competence); Rule 1.3 (diligence); Rule 1.4(a) (2)-(3) and (b) (communication); Rule 1.5(a) (fees); Rule 1.16(d) (declining or terminating representation); Rule 3.4(d) (fairness to opposing party and attorney); and Rule 8.4(c) and (d) (misconduct). The Respondent does not admit that he intended to deceive Mr. Gebreyesus, but he acknowledges sufficient evidence could be produced to establish he knowingly made a false statement or statements to him concerning the status of the representation. *See Siskind, supra.*

15. The Respondent admits that he knowingly failed to respond to multiple letters from Bar Counsel in connection with Bar Counsel's investigations of complaints filed by or on behalf of each of the aforementioned clients and by an additional client named Jose Ramon Medina Giron. He acknowledges there is sufficient evidence to establish that he violated Rules 8.1(b) and 8.4(d) based on his failure to respond to lawful demands for information from a disciplinary authority.

16. Disbarment is the appropriate sanction for misconduct involving, inter alia,

habitual neglect of client matters and failure to respond to Bar Counsel's requests for information. *See, e.g., Att'y Griev. Comm'n v. De La Paz*, 418 Md. 534, 16 A.3d 181 (2011); *Att'y Griev. Comm'n v. Tinsky*, 377 Md. 646, 835 A.2d 542 (2003); *Att'y Griev. Comm'n v. Wallace*, 368 Md. 277, 793 A.2d 535 (2002).

17. The Respondent has one prior disciplinary sanction in Maryland. On November 30, 2018, the Attorney Grievance Commission reprimanded him for violating MARPC Rule 1.8(h) based on his participation in making an agreement prospectively limiting the ABM firm's liability to a client for possible malpractice without advising the client in writing of the desirability of seeking the advice of independent legal counsel in connection with the settlement of any such claim.

18. The Respondent consents to disbarment freely and voluntarily, without coercion or duress.

19. The Respondent is aware of the effects of disbarment.

20. The Respondent agrees to comply with Maryland Rule 19-742.

21. The Petitioner does not seek reimbursement of any costs in this matter.

WHEREFORE, the parties pray this Honorable Court:

A. Order that William Franklin Burton be disbarred from the practice of law in this State, effective immediately; and

B. Grant such other and further relief as the Court deems warranted.

Respectfully submitted,

William Franklin Burton
11400 December Way
Apartment 102
Silver Spring, MD 20904
(202) 538-5707
wf_burton@yahoo.com
CPF No. 0412280004

Respondent

Lydia E. Lawless
Bar Counsel
Lydia.Lawless@agc.maryland.gov
CPF ID No. 0712110441

Raymond A. Hein
Deputy Bar Counsel
Raymond.Hein@agc.maryland.gov
CPF ID No. 8612010221

Brittany L. Strickland
Assistant Bar Counsel
Brittany.Strickland@agc.maryland.gov
CPF No. 1612140256
Attorney Grievance Commission
of Maryland
200 Harry Truman Parkway
Suite 300
Annapolis, MD 21401
Phone: (410) 514-7051

Attorneys for Petitioner

AFFIDAVIT

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief.

Date

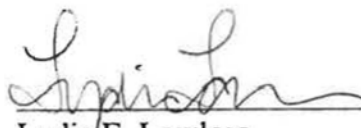
William Franklin Burton

A. Order that William Franklin Burton be disbarred from the practice of law in this State, effective immediately; and

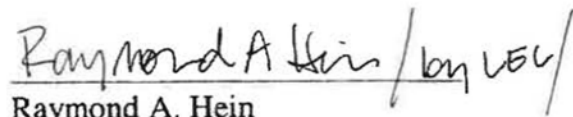
B. Grant such other and further relief as the Court deems warranted.

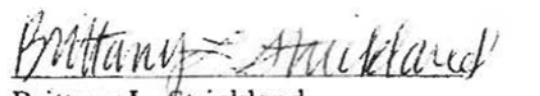
Respectfully submitted,


William Franklin Burton
11400 December Way
Apartment 102
Silver Spring, MD 20904
(202) 538-5707
wf_burton@yahoo.com
CPF No. 0412280004


Lydia E. Lawless
Bar Counsel
Lydia.Lawless@agc.maryland.gov
CPF ID No. 0712110441

Respondent


Raymond A. Hein
Deputy Bar Counsel
Raymond.Hein@agc.maryland.gov
CPF ID No. 8612010221


Brittany L. Strickland
Assistant Bar Counsel
Brittany.Strickland@agc.maryland.gov
CPF No. 1612140256

Attorney Grievance Commission
of Maryland
200 Harry Truman Parkway
Suite 300
Annapolis, MD 21401
Phone: (410) 514-7051

Attorneys for Petitioner

AFFIDAVIT

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief.

9 October 2020
Date


William Franklin Burton

ATTORNEY GRIEVANCE COMMISSION *
OF MARYLAND

IN THE

* COURT OF APPEALS

v.

* OF MARYLAND

WILLIAM FRANKLIN BURTON

* Misc. Docket AG No. 4,
September Term, 2020

*

(No. 481109-V, Circuit
Court for Montgomery
County)

ORDER

Upon consideration of the Joint Petition for Disbarment by Consent filed by the Attorney Grievance Commission of Maryland and the Respondent, William Franklin Burton, it is this ____ day of _____, 2020,

ORDERED, by the Court of Appeals of Maryland, that the Respondent, William Franklin Burton, be disbarred from the practice of law in the State of Maryland, effective immediately, for engaging in professional misconduct that violated Rules 1.1, 1.3, 1.4(a)(2)-(3) and (b), 1.5(a), 1.16(d), 3.4(d), 8.1(b), and 8.4(a), (c) and (d) of the Maryland Attorneys' Rules of Professional Conduct; and it is further

ORDERED, that the Clerk of this Court shall strike the name of William Franklin Burton from the register of attorneys in this Court, notify the Respondent of such action, and comply with the notice provisions of Maryland Rule 19-761(b).

Senior Judge

ATTORNEY GRIEVANCE COMMISSION *
OF MARYLAND

v.

WILLIAM FRANKLIN BURTON

IN THE

* COURT OF APPEALS

* OF MARYLAND

* Misc. Docket AG No. 4,
September Term, 2020

* (No. 481109-V, Circuit Court
for Montgomery County)

ORDER

Upon consideration of the Joint Petition for Disbarment by Consent filed by the Attorney Grievance Commission of Maryland and the Respondent, William Franklin Burton, it is this 13th day of October, 2020

ORDERED, by the Court of Appeals of Maryland, that the Respondent, William Franklin Burton, be disbarred from the practice of law in the State of Maryland, effective immediately, for engaging in professional misconduct that violated Rules 1.1, 1.3, 1.4(a)(2)-(3) and (b), 1.5(a), 1.16(d), 3.4(d), 8.1(b), and 8.4(a), (c) and (d) of the Maryland Attorneys' Rules of Professional Conduct; and it is further

ORDERED, that the Clerk of this Court shall strike the name of William Franklin Burton from the register of attorneys in this Court, and certify that fact to the Trustees of the Client Protection Fund of the Bar of Maryland and all Clerks of all judicial tribunals in this State in accordance with Maryland Rule 19-761(b).

/s/ Robert N. McDonald
Senior Judge

