

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTERS OF
JUSTIN LEE CRINER**

**VSB Docket No. 25-031-134015
VSB Docket No. 25-031-134051
VSB Docket No. 25-031-134141
VSB Docket No. 25-031-134354
VSB Docket No. 25-031-134571**

CONSENT TO REVOCATION ORDER

On April 8, 2025, Justin Lee Criner presented to the Board an Affidavit Declaring Consent to Revocation (hereinafter "Affidavit") of his license to practice law in the courts of this Commonwealth. By tendering his Consent to Revocation at a time when a disciplinary complaint, Investigation or Proceeding is pending, the nature of which is specifically set forth in the attached Affidavit, Justin Lee Criner, Respondent acknowledges that the material facts contained in the pending disciplinary complaint, Investigation or Proceeding are true.

The Board having considered the Affidavit, and Bar Counsel having no objection, the Board accepts his Consent to Revocation.

Upon consideration whereof, it is therefore ordered that Justin Lee Criner's license to practice law in the courts of this Commonwealth be and the same hereby is revoked, and that the name of Justin Lee Criner be stricken from the Roll of Attorneys of this Commonwealth.

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 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 shall also make appropriate arrangements for the disposition

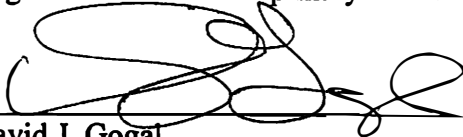
of matters then in his care in conformity with the wishes of his clients. The Respondent shall give such notice immediately and in no event later than 14 days of the effective date of the Revocation, and make such arrangements as are required herein as soon as is practicable and in no event later than 45 days of the effective date of the Revocation. The Respondent shall also furnish proof to the Clerk of the Disciplinary System of the Virginia State Bar within 60 days of the effective date of the Revocation 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 Revocation, he shall submit an affidavit to that effect within 60 days of the effective date of the Revocation to the Clerk of the Disciplinary System at the Virginia State Bar. The Board shall 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.

It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this order by electronic, regular and certified mail, return receipt requested, to the Respondent, Justin Lee Criner, at his address of record with the Virginia State Bar, being, The Beale Law Firm, P.C., 808 Moorefield Park Drive, Suite 110, North Chesterfield, VA 23236, and a copy sent by electronic mail to Matthew W. Lee and Thomas J. Tutone, Respondent's Counsel, and to Renu M. Brennan, Bar Counsel.

Entered this 8th day of April, 2025

Virginia State Bar Disciplinary Board



David J. Gogal
Chair

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTERS OF
Justin Lee Criner**

**VSB Docket No. 25-031-134015
VSB Docket No. 25-031-134051
VSB Docket No. 25-031-134141
VSB Docket No. 25-031-134354
VSB Docket No. 25-031-134571**

AFFIDAVIT DECLARING CONSENT TO REVOCATION

I, Justin Lee Criner, after being duly sworn, state as follows:

1. I was licensed to practice law in the Commonwealth of Virginia on October 20, 2016.
2. I submit this Affidavit Declaring Consent to Revocation pursuant to Rule of Court, Part 6, Section IV, Paragraph 13-28.
3. My consent to revocation is freely and voluntarily rendered. I am not being subjected to coercion or duress. I am fully aware of the implications of consenting to the revocation of my license to practice law in the Commonwealth of Virginia.
4. I am aware that there are currently several pending complaints, investigations into, or proceedings involving, allegations of misconduct against me. I consent to revocation based on the five complaints referenced above and herein, the specific nature of which are here set forth:

Mary B. Greenleaf – VSB Docket No. 25-031-134015

5. In September 2019, I agreed to represent Mary B. Greenleaf in a personal injury claim against VCU Medical Center Critical Care Hospital (hereinafter referred to as “VCU Medical Center”).

6. On September 30, 2019, I filed suit on Ms. Greenleaf's behalf in the Circuit Court for the City of Richmond.
7. On October 14, 2020, VCU Medical Center filed a demurrer and special plea in bar to Ms. Greenleaf's Complaint arguing that Ms. Greenleaf's claim was barred pursuant to the doctrine of sovereign immunity.
8. On July 14, 2021, the Circuit Court for the City of Richmond granted VCU Medical Center's demurrer and dismissed Ms. Greenleaf's claims with prejudice.
9. I informed Ms. Greenleaf that I would appeal the Circuit Court's decision.
10. At the time relevant to this appeal, the Court of Appeals of Virginia's jurisdiction had yet to be expanded to include the right of an appeal in a civil case. As such, the procedure was to petition the Supreme Court of Virginia for an appeal.
11. I noted Ms. Greenleaf's appeal of the July 14, 2021 decision to the Supreme Court of Virginia.
12. I failed to perfect Ms. Greenleaf's appeal to the Supreme Court of Virginia.
13. In or about December 2021, the Supreme Court of Virginia dismissed Ms. Greenleaf's appeal because I did not file a petition for appeal on her behalf.
14. I never informed Ms. Greenleaf that I failed to perfect her appeal or that her appeal was dismissed because I failed to perfect her appeal.
15. Instead, for the next three years I lied to Ms. Greenleaf telling her that I prevailed on her appeal and that her case settled for \$200,000, when in fact her case was dismissed and never settled.

16. For three years, I misrepresented to Ms. Greenleaf that her case was still ongoing, and that I was engaged in settlement negotiations with VCU Medical Center in an attempt to resolve her claims.
17. Among other things, almost two years after Ms. Greenleaf's appeal was dismissed, I misrepresented to her that argument on her appeal was set for September 26, 2023. When Ms. Greenleaf could not locate the case on the docket, I misrepresented to her that I had argued and prevailed on the appeal.
18. In October 2024, almost three years after Ms. Greenleaf's appeal was dismissed, I sent a subpoena to Ms. Greenleaf for her sister to appear at an alleged hearing in a case that was not pending.
19. In October 2024, I misrepresented to Ms. Greenleaf that her case against VCU Medical Center had settled for \$200,000.
20. During the next few months, I lied to Ms. Greenleaf that she would receive a purported wire transfer of \$200,000 in settlement funds.
21. In November 2024, I sent Ms. Greenleaf distribution of proceeds forms for a purported wire transfer of settlement funds. Ms. Greenleaf returned executed forms to me, but she never received any funds.
22. In late November and early December 2024, when Ms. Greenleaf questioned me about why she could not receive the settlement funds by wire, I continually misled Ms. Greenleaf that she would receive \$200,000 in settlement funds.
23. On December 5, 2024, I accompanied Ms. Greenleaf to her bank where she believed she would receive the settlement funds Ms. Greenleaf did not receive any settlement funds.

24. I never told Ms. Greenleaf the truth about what happened or that her case had actually been dismissed.
25. On December 5, 2024, Ms. Greenleaf fired me, asked for her file, and retained new counsel, Rebecca Lawrence, Esq. Ms. Lawrence contacted me to understand what had happened, and I also lied to her.
26. On December 5, 2024, Ms. Greenleaf filed a bar complaint.
27. I also lied to the bar in my written response to the bar complaint. I misrepresented to the bar that Ms. Greenleaf was confused and I never lied to her. Among other things, I stated that Ms. Greenleaf “potentially misunderstood communications or conversations they had throughout her case where [I] informed her of the estimated value of the case....Contrary to the allegations in the complaint, however, [I] did not, at any point, inform Ms. Greenleaf that her case against VCU had resolved much less for the amount of \$200,000.” I also lied, in detail, about the reason that Ms. Greenleaf and I went to her bank. I misrepresented throughout that it was Ms. Greenleaf who was mistaken, confused, angry, and a difficult client instead of telling the bar, or anyone, the truth. I concluded my response by asking the bar to close its investigation on the basis of my misrepresentations.
28. I violated the following Virginia Rules of Professional Conduct:
- a. Rule 1.1 – Competence ¹

¹ 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.

- b. Rule 1.3(a)-(c) – Diligence²
- c. Rule 1.4(a)-(c) – Communication³
- d. Rule 4.1(a) – Truthfulness In Statements To Others⁴
- e. Rule 8.1(a)(b)(d) – Bar Admission And Disciplinary Matters⁵
- f. Rule 8.4(b)-(c) – Misconduct⁶

² 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.
- (c) A lawyer shall not intentionally prejudice or damage a client during the course of the professional relationship, except as required or permitted under Rule 1.6 and Rule 3.3.

³ 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.
- (c) A lawyer shall inform the client of facts pertinent to the matter and of communications from another party that may significantly affect settlement or resolution of the matter.

⁴ RULE 4.1 Truthfulness In Statements To Others

In the course of representing a client a lawyer shall not knowingly:

- (a) make a false statement of fact or law[.]

⁵ RULE 8.1 Bar Admission And Disciplinary Matters

An applicant for admission to the bar, or a lawyer already admitted to the bar, in connection with a bar admission application, any certification required to be filed as a condition of maintaining or renewing a license to practice law, or in connection with a disciplinary matter, shall not:

- (a) knowingly make a false statement of material fact;
- (b) fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter; and
- (d) obstruct a lawful investigation by an admissions or disciplinary authority.

⁶ RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

- (b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law;
- (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law[.]

In the Matters of Justin Lee Criner, Esquire – VSB Docket Nos. 25-031-134051; 25-031-134141; 25-031-134354

29. Beginning in either 2019 or 2020, I represented Heather L. Shaw, Lisa S. Smith, and Vincent James Sammartino regarding construction defects in their adjacent townhomes.
30. On February 10, 2021, I filed suit in Henrico County Circuit Court on their behalf against the builder and three homeowner's associations.
31. In May 2021, the builder filed motions for bill of particulars, cravingoyer, to strike and compel arbitration, a demurrer, and a plea in bar.
32. In May 2021, two of the homeowner's associations filed motions for bill of particulars, cravingoyer, to dismiss, a demurrer, and a plea in bar.
33. The defendants noticed their motions for hearing on September 24, 2021.
34. On September 23, 2021, the day before the hearing, I filed a motion for leave to nonsuit the lawsuit.
35. On October 8, 2021, the Henrico County Circuit Court entered the Order of Nonsuit.
36. In April 2022, I re-filed the lawsuit, but I only named the builder as a defendant. I did not name the developer or any other individual or entity as a defendant. Also, I did not name Heather Shaw as a plaintiff. I did not tell Shaw, Sammartino, or Smith then or at any time that the developer was not a named defendant. I did not tell Shaw then or at any time that I did not name her as a plaintiff.
37. In October 2022, the builder, the only named defendant, filed responsive pleadings including an answer and affirmative defenses, motion cravingoyer, plea in bar to the statute of limitations, and demurrer.

38. I told the builder's counsel that I had filed to protect the statute. I never conducted discovery or did anything else in the litigation.
39. Instead, for the next two years, I continually misrepresented to Shaw, Smith, and Sammartino that I was negotiating a settlement of their cases, when I was not, and that I successfully negotiated a settlement agreement on their behalf, which I did not. My misrepresentations include: (1) emails to them that I was negotiating a settlement with the builder and the developer, neither of which was a defendant to the lawsuit and (2) emails and telephone calls to Shaw, Smith, and Sammartino that in or around January 2023, I successfully negotiated a settlement with the builder and the developer on their behalf.
40. Beginning in February 2023, I prepared and sent to Shaw, Smith, and Sammartino false settlement agreements misstating that their case(s) against the builder and the developer had settled. Shaw, Smith, and Sammartino executed these false settlement agreements believing that they were valid.
41. In or around May 2023, I misrepresented to Shaw, Smith, and Sammartino that the builder confirmed payment of the purported settlement.
42. From around May 2023 to November 2024, I repeatedly misrepresented the status of the cases and payment to Shaw, Sammartino, and Smith. My misrepresentations included the preparation and submission to them of false documents that purported to confirm settlement.
43. In or around November 2024, I misrepresented to Shaw, Smith, and Sammartino that they should expect to receive settlement proceeds.
44. I never successfully settled their matter.

45. Neither the developer nor the builder, nor anyone or any entity, ever issued a settlement payment to me for distribution to Shaw, Smith, and Sammartino.
46. In December 2024, Smith, Sammartino, and Shaw filed bar complaints.
47. In my response to Lisa Smith's complaint, I stated that I did not miss deadlines; that I communicated frequently with her; and that the firm did not withhold settlement funds. I did not state that my frequent communications were lies. I also misrepresented that I would tender settlement funds upon receipt, knowing that there was no settlement. I did not respond to the other complaints.
48. I violated the following Virginia Rules of Professional Conduct:
- a. Rule 1.1 – Competence⁷
 - b. Rule 1.3(a)-(c) – Diligence⁸
 - c. Rule 1.4(a)-(c) – Communication⁹
 - d. Rule 8.1(a)(b)(d) – Bar Admission And Disciplinary Matters¹⁰

⁷ 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.

⁸ 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.
- (c) A lawyer shall not intentionally prejudice or damage a client during the course of the professional relationship, except as required or permitted under Rule 1.6 and Rule 3.3.

⁹ 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.
- (c) A lawyer shall inform the client of facts pertinent to the matter and of communications from another party that may significantly affect settlement or resolution of the matter.

¹⁰ RULE 8.1 Bar Admission And Disciplinary Matters

e. Rule 8.4(b)-(c) – Misconduct¹¹

Omar Hill – VSB Docket No. 25-031-134571

49. In 2023, Omar Hill hired me to help him recover property taxes that he had paid, but which he understood the lender was to have paid out of escrow.

50. Mr. Hill was referred to me by MetLife legal plan.

51. I never filed suit on behalf of Mr. Hill and misrepresented that at least one hearing was scheduled on September 27, 2024.

52. I misrepresented the status of Mr. Hill's case to him from October 2023 through January 2025.

53. I misrepresented to Mr. Hill that his case had settled.

54. I fabricated a settlement agreement and presented it to Mr. Hill to indicate that his case had settled.

An applicant for admission to the bar, or a lawyer already admitted to the bar, in connection with a bar admission application, any certification required to be filed as a condition of maintaining or renewing a license to practice law, or in connection with a disciplinary matter, shall not:

- (a) knowingly make a false statement of material fact;
- (b) fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter; and
- (d) obstruct a lawful investigation by an admissions or disciplinary authority.

¹¹ RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law;

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law[.]

55. On November 26, 2024, I cut and pasted an email sent by opposing counsel in another case and “forwarded” this email to Mr. Hill to make it appear that I settled his case.

56. I violated the following Virginia Rules of Professional Conduct:

- a. Rule 1.1 – Competence¹²
- b. Rule 1.3(a)-(c) – Diligence¹³
- c. Rule 1.4(a)-(c) – Communication¹⁴
- d. Rule 8.4(b)-(c) – Misconduct¹⁵

57. I acknowledge that the material facts upon which the foregoing allegations of misconduct are predicated are true.

¹² 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.

¹³ 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.
- (c) A lawyer shall not intentionally prejudice or damage a client during the course of the professional relationship, except as required or permitted under Rule 1.6 and Rule 3.3.

¹⁴ 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.
- (c) A lawyer shall inform the client of facts pertinent to the matter and of communications from another party that may significantly affect settlement or resolution of the matter.

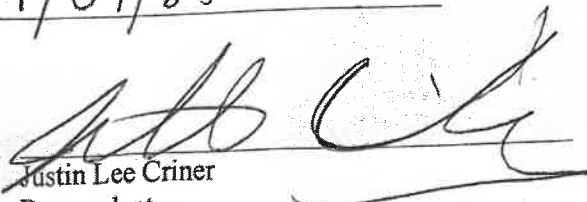
¹⁵ RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

- (b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law;
- (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law[.]

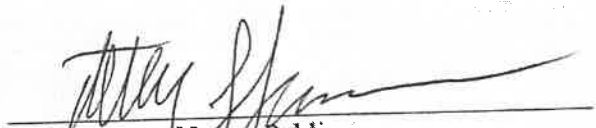
58. I submit this Affidavit and consent to the revocation of my license to practice law in the Commonwealth of Virginia because I know that if the disciplinary proceedings based on the alleged misconduct were brought or prosecuted to a conclusion, I could not successfully defend them.

Executed and dated on 04/07/25


Justin Lee Criner
Respondent

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF CHESTERFIELD, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by Justin Lee Criner on 4/7/2025


Notary Public

My Commission expires: 02-28-2027

