

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
DENISE ANN DANIELS**

VSB DOCKET NO. 24-000-129642

**AMENDED RULE TO SHOW CAUSE
AND
ORDER OF SUMMARY SUSPENSION AND NOTICE OF HEARING**

It appearing to the Virginia State Bar Disciplinary Board (“Board”) that Respondent Denise Ann Daniels (“Respondent”) was licensed to practice law within the Commonwealth of Virginia on September 25, 1986, and,

It further appearing that Respondent has been suspended from the practice of law for a period of 30 days by Order of the District of Columbia Court of Appeals, dated August 10, 2023, and

It further appearing that such disciplinary action has become final.

It is ORDERED, pursuant to Rules of the Supreme Court of Virginia (“Rules”), Part Six, Section IV, Paragraph 13-24, that the license of Respondent to practice law within the Commonwealth of Virginia be, and the same is, hereby suspended effective **October 6, 2023**.

It is further ORDERED that Respondent appear before the Board at the Virginia Workers’ Compensation Commission, Courtroom 1, 333 East Franklin St, Richmond, VA 23219, at **9:00 a.m.** on **October 27, 2023**, to show cause why the same discipline that was imposed in the other jurisdiction should not be imposed by the Board. Pursuant to Part Six, Section IV, Paragraph 13-24.C of the Rules, Respondent has 14 days from the date of this Rule to Show Cause and Order of Summary Suspension and Hearing to file a written response with the Clerk of the Disciplinary System, which response shall be confined to argument and exhibits supporting one or more of the grounds for dismissal or imposition of a lesser discipline specified in paragraph 13-24.C. Failure to file a written response within fourteen (14) days may result in the Board’s refusal to consider during the hearing in this matter any evidence or argument supporting the existence of one or more of the grounds specified in Paragraph 13-24.C.

It is further ORDERED that Respondent must comply with the requirements of Part 6, Section IV, Paragraph 13-29 of the Rules. The Respondent shall forthwith give notice by certified mail of the Revocation or Suspension of her license to practice law in the Commonwealth of Virginia, to all clients for whom 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 her care in conformity with the wishes of her clients. The Respondent shall give such notice immediately and in no event later than 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 45 days of the effective date of the Suspension. 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 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, she shall submit an affidavit to that effect within 60 days of the effective date of the Suspension 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. 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 a copy of the order of the District of Columbia Court of Appeals be attached to this Rule to Show Cause and Order of Summary Suspension and Hearing and made a part hereof.


It is further ORDERED that an attested copy of this Rule to Show Cause and Order of Summary Suspension and Hearing, with attachments, shall be mailed to Denise Ann Daniels by electronic, first-

class, and certified mail at her address of record with the Virginia State Bar: 828 Slaters Lane #207, Alexandria, VA 22314-1265, and by electronic mail to Tenley Carroll Seli, Assistant Bar Counsel.

ENTERED THIS 29th DAY OF SEPTEMBER 2023

VIRGINIA STATE BAR DISCIPLINARY BOARD

**Yvonne S.
Gibney**

 Digitally signed by Yvonne S.
Gibney
Date: 2023.09.29 17:08:10 -04'00'

Yvonne S. Gibney
Chair Designate

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DISTRICT OF COLUMBIA COURT OF APPEALS

No. 23-BG-0454

IN RE DENISE A. DANIELS, RESPONDENT.

A Suspended Member of the Bar
of the District of Columbia
(Bar Registration No. 399285)

On Report and Recommendation
of the Board on Professional Responsibility

(Disciplinary Docket No. 2021-D075)
(Board Docket No. 22-BD-014)

(Decided August 10, 2023)

Before: BECKWITH and ALIKHAN, *Associate Judges*, and WASHINGTON, *Senior Judge*.

PER CURIAM: The Board on Professional Responsibility recommends that Denise A. Daniels be suspended from the practice of law for 30 days with reinstatement conditioned upon a showing of fitness. The Board found that respondent had communicated directly with a person known to be represented by counsel in two separate cases, violating D.C. R. Prof. Conduct 4.2(a) (two counts). During the course of the investigation into the charges, respondent failed to respond to Disciplinary Counsel's instructions despite a Board order directing her to do so;

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District of Columbia
Court of Appeals


Julio Castillo
Clerk of Court

therefore, the Board also found that she violated Rule 8.1(b) (knowing failure to respond to Disciplinary Counsel), Rule 8.4(d) (serious interference with the administration of justice), and D.C. Bar R. XI, § 2(b)(3) (failure to comply with a Board order). Respondent has not filed any exceptions to the Board's Report and Recommendation, nor has she filed the required D.C. Bar R. XI, § 14(g) affidavit after the court imposed an interim suspension on July 17, 2023.

Under D.C. Bar R. XI, § 9(h)(2), “if no exceptions are filed to the Board’s report, the [c]ourt will enter an order imposing the discipline recommended by the Board upon the expiration of the time permitted for filing exceptions.” *See In re Viehe*, 762 A.2d 542, 543 (D.C. 2000) (per curiam) (“When . . . there are no exceptions to the Board’s report and recommendation, our deferential standard of review becomes even more deferential.”). Because no exceptions have been filed and because we agree that the Board’s recommended sanction is reasonable and appropriate for the violations presented here,¹ we accept the recommendation that

¹ *See In re Cooper*, 936 A.2d 832, 833, 835 (D.C. 2007) (per curiam) (imposing a 30-day suspension with a fitness requirement for violations of D.C. R. Prof. Conduct 8.1(b) and 8.4(d) and D.C. Bar R. XI, § 2(b)(3)); *In re Rogers*, 112 A.3d 923, 924 (D.C. 2015) (per curiam) (imposing a 90-day suspension with a fitness requirement for violations of Rule 4.2(a) and other rules); *In re Roxborough*, 692 A.2d 1379, 1379 (D.C. 1997) (per curiam) (imposing a 60-day suspension with a fitness requirement for violations of Rule 4.2(a) and other rules).

respondent be suspended for 30 days with reinstatement conditioned upon a showing of fitness.

Accordingly, it is

ORDERED that respondent Denise A. Daniels is hereby suspended from the practice of law in the District of Columbia for 30 days, with reinstatement conditioned upon a showing of fitness. Additionally, we direct respondent's attention to D.C. Bar R. XI, § 14(g)—which requires the filing of an affidavit with this court for purposes of reinstatement in accordance with D.C. Bar R. XI, § 16—and Board Prof. Resp. R. 9.

So ordered.