

VIRGINIA:

**BEFORE THE THIRD DISTRICT, SECTION I COMMITTEE
OF THE VIRGINIA STATE BAR**

**IN THE MATTER OF
CATHERINE ELIZABETH LAWLER**

VS B Docket No. 26-031-138489

**DISTRICT COMMITTEE DETERMINATION
(PUBLIC ADMONITION WITHOUT TERMS)**

On October 26, 2026, a meeting was held in this matter before a duly convened Third District, Section I Committee consisting of Erika Encinas MacCormac, Esq., Chair Presiding; Dennis Russell Kiker, Esq., Emilee Manzi Hasbrouck, Esq., Brewster Stone Rawls, Esq., Members; and Jennifer L. Neel, Lay Member. During the meeting, the Third District, Section I Committee voted to approve an agreed disposition for a Public Admonition without Terms pursuant to Part 6, § IV, ¶ 13-7.A.9 of the Rules of Supreme Court of Virginia. The agreed disposition was entered into by the Virginia State Bar, by Renu M. Brennan, Bar Counsel, Catherine Elizabeth Lawler (“Respondent”), and Craig Stover Cooley, counsel for Respondent.

WHEREFORE, the Third District, Section I Committee of the Virginia State Bar hereby serves upon Respondent the following Public Admonition without Terms:

I. FINDINGS OF FACT

1. Respondent has been licensed to practice law in the Commonwealth of Virginia since 2016.
2. On June 9, 2023, a jury found Devin Mitchell guilty of involuntary manslaughter, two counts of unlawful shooting into an occupied building, and two counts of shooting in the commission of a felony.
3. By order entered March 12, 2024, the Circuit Court for the City of Petersburg (“Court”) appointed Respondent to represent Mitchell in his appeal.
4. Respondent’s records reflect one video call with Mitchell on April 10, 2024. Respondent also sent Mitchell the trial transcripts.
5. By Sentencing Order entered April 11, 2024, the Court sentenced Mitchell to 30 years, 15 suspended.

6. On May 10, 2024, Respondent timely noted Mitchell's appeal to the Court of Appeals of Virginia.
7. Respondent did not timely file an opening brief in support of Mitchell's appeal with the Court of Appeals of Virginia. The brief was due on or before August 21, 2024.
8. By order entered September 13, 2024, the Court of Appeals of Virginia dismissed Mitchell's appeal because the opening brief was not timely filed.
9. Respondent did not communicate to Mitchell that the Court of Appeals of Virginia dismissed his appeal, nor did Respondent advise Mitchell why the Court of Appeals of Virginia dismissed his appeal, nor did she notify Mitchell of his options upon dismissal of the appeal.
10. On February 24, 2025, Respondent filed a motion for delayed appeal stating that she miscalculated the date to request an extension to file the opening brief.
11. Respondent did not advise Mitchell that she filed a motion for delayed appeal.
12. By order entered March 17, 2025, the Court of Appeals of Virginia awarded Mitchell a delayed appeal.
13. Respondent did not advise Mitchell of the new deadlines following entry of the delayed appeal or otherwise discuss the delayed appeal with him.
14. By order entered March 28, 2025, the Court again appointed Respondent as Mitchell's counsel on the delayed appeal. The notice of appeal was due on or before 5 p.m. on April 28, 2025.
15. Respondent did not timely file the notice of appeal on or before 5 p.m. on April 28. She filed the notice of appeal at 5:01 p.m. on April 28, 2025.
16. By order entered July 24, 2025, the Court of Appeals of Virginia dismissed Mitchell's appeal because Respondent did not timely file the notice of appeal.
17. Respondent did not communicate to Mitchell that the Court of Appeals of Virginia dismissed his delayed appeal, nor did she communicate to Mitchell why the Court of Appeals of Virginia dismissed his delayed appeal, nor did she notify him of his options following the Court of Appeals' order entered July 24, 2025.
18. On August 7, 2025, Respondent filed a petition for rehearing with the Court of Appeals of Virginia. Respondent argued that she timely filed the notice of appeal on April 28, 2025.
19. By order entered August 21, 2025, the Court of Appeals of Virginia denied the petition for rehearing.
20. Respondent did not communicate to Mitchell that she filed a petition for rehearing or that it was denied nor did she explain or discuss potential options.

21. Respondent has not communicated to Mitchell that he may wish to consult other counsel regarding a habeas petition, nor has she informed him of the deadlines for filing a habeas petition.
22. Mitchell did not know his appeal was dismissed until his April 15, 2026 interview with the bar investigator.

II. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3 Diligence

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

By failing to timely file an opening brief in Mitchell's initial appeal and by failing to timely file a notice of appeal in Mitchell's delayed appeal, Respondent violated Rule 1.3(a) as set forth above.

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 failing to notify Mitchell of the status of his appeal and failing to communicate at all with him after noticing his appeal, Respondent violated Rule 1.4(a) and (b) as set forth above. Respondent's specific communication failures include,

1. *Failing to notify Mitchell that his appeal was dismissed by order entered September 13, 2024, the reason for the dismissal, and Mitchell's options following the dismissal;*
2. *Failing to notify Mitchell that Respondent filed a motion for delayed appeal which was granted and failing to advise Mitchell of the new deadlines;*
3. *Failing to notify Mitchell that Respondent missed the deadline to file a notice of appeal pursuant to the delayed appeal, that the delayed appeal was thus dismissed, and of Mitchell's options following the dismissal of the delayed appeal;*
4. *Failing to notify Mitchell that Respondent filed a Petition for Rehearing regarding the dismissal of the delayed appeal, the outcome of the Petition for Rehearing, that the Petition for Rehearing was denied, the reason the Petition was denied, and Mitchell's options following denial of the Petition for Rehearing, such as filing a habeas petition; and*

5. *Failing to advise Mitchell that he should consult with other counsel regarding a habeas petition and the deadline to file such a habeas petition.*

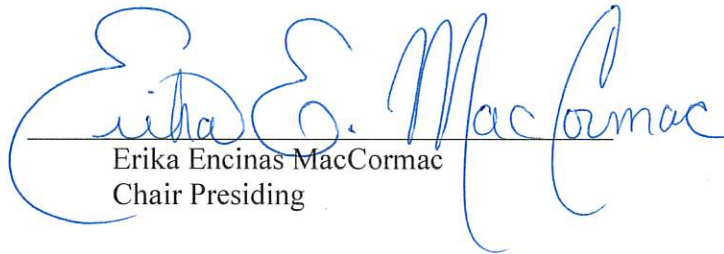
PUBLIC ADMONITION WITHOUT TERMS

Accordingly, having approved the agreed disposition, it is the decision of the District Committee to impose a Public Admonition without Terms, and Catherine Elizabeth Lawler is so admonished. Pursuant to Part 6, § IV, ¶ 13-9.E of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs.

The effective date of this determination is October 26, 2026.

Entered: October 29, 2026.

THIRD DISTRICT, SECTION I COMMITTEE
OF THE VIRGINIA STATE BAR


Erika Encinas MacCormac
Chair Presiding