

**VIRGINIA:**

**BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD**

**IN THE MATTER OF  
JIBRAN MUHAMMAD**

**VSB DOCKET NOS.: 23-041-126374  
23-041-128914**

**AGREED DISPOSITION MEMORANDUM ORDER  
SIX MONTH SUSPENSION WITH TERMS**

On May 6, 2024, this matter was heard, telephonically, 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 David J. Gogal, First Vice Chair, Dawn E. Boyce, Adam M. Carroll, Lisa A. Wilson, and Tammy D. Stevenson, Lay Member. The Virginia State Bar was represented by Richard W. Johnson, Jr., Assistant Bar Counsel. Jibran Muhammad was present and was represented by counsel Buta Biberaj. 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 Horne, 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 Certification, Respondent's Answer, Respondent's Disciplinary Record, the arguments of the parties, and after due deliberation,

It is **ORDERED** that the Disciplinary Board accepts the Agreed Disposition, and the Respondent shall receive Six Month Suspension with Terms, 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 May 6, 2024.

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 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 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 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, he 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. 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.

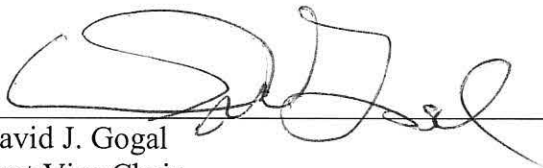
The Clerk of the Disciplinary System shall assess costs pursuant to Part 6, Section IV,

Paragraph 13-9.E of the Rules.

It is further **ORDERED** that an attested copy of this Order be mailed to the Respondent by electronic, first-class and certified mail, return receipt requested, at his last address of record with the Virginia State Bar being 7405 Carol Lane, Falls Church, VA 22042, and a copy by electronic mail to Buta Biberaj, Respondent's counsel, and a copy by electronic mail to Richard W. Johnson, Jr., Assistant Bar Counsel.

ENTER THIS ORDER THIS 6th DAY OF MAY 2024

VIRGINIA STATE BAR DISCIPLINARY BOARD

  
\_\_\_\_\_  
David J. Gogal  
First Vice Chair

VIRGINIA:

BEFORE THE DISCIPLINARY BOARD  
OF THE VIRGINIA STATE BAR

IN THE MATTER OF  
JIBRAN MUHAMMAD

VSB Docket No. 23-041-126374  
23-041-128914

**AGREED DISPOSITION**  
**(SIX MONTH SUSPENSION WITH TERMS)**

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-6.H, the Virginia State Bar, by Richard W. Johnson, Jr., Assistant Bar Counsel and Jibran Muhammad, Respondent, and Buta Biberaj, Shaniqua Clark Nelson, and Michele Burton, Respondent's counsel, hereby enter into the following Agreed Disposition arising out of the referenced matter.

**I. STIPULATIONS OF FACT**

1. Respondent was licensed to practice law in Virginia in 2013. At all relevant times, Respondent was a member of the Virginia State Bar.
2. In 2015, Respondent began practicing law with a small firm focusing on criminal defense and immigration law. From about October 2017 to February 2020, Respondent operated a solo practice, JM Legal PLLC. Respondent's practice included immigration law. Based upon his own negative immigration experience, Respondent sought to provide legal services for reduced fees.
3. On January 22, 2020, the State Corporation Commission changed the name of Respondent's Professional Limited Liability Corporation from JM Legal PLLC to Prime Law PLLC ("Prime Law").
4. On February 10, 2020, as set forth herein, Respondent purchased the domain name and created a website<sup>1</sup> for Prime Law, Respondent's company.
5. On February 18, 2020, Respondent began working as an Assistant Commonwealth's Attorney ("ACA") with the Prince William County Office of the Commonwealth's Attorney ("Prince William OCA"). Respondent worked as an ACA from February 18, 2020 until he resigned on December 5, 2023.

<sup>1</sup> Found at <https://www.theprimelawoffice.com/>.

6. As a condition of employment with the Prince William County OCA, Respondent was prohibited from remaining in private practice and representing individuals. Respondent did not alert the Prince William Commonwealth Attorney's office that he continued in private practice during his employment.
7. Notwithstanding his employment with the Prince William OCA, Respondent did not remove the Prime Law website. In fact, on February 10, 2022, nearly two years after joining the Prince William County OCA, the Prime Law website was auto renewed.
8. Prior to February 18, 2020, the date which Respondent began working as an ACA with the Prince William County Office of the Commonwealth Attorney, three individuals retained Respondent to represent them in immigration matters.

Consuelo Mendez Alonzo

9. In or about October 2019, Consuelo Mendez Alonzo ("Consuelo") retained Respondent to assist her in seeking asylum status in the United States. Respondent did not provide Consuelo with an engagement agreement, an accounting, invoices, or any written explanation of his fees at any point during the representation.
10. Respondent drafted an asylum application and referred Consuelo for a mental health assessment. Consuelo and Respondent attended the first scheduled hearing date at the United States Department of Justice Executive Office For Immigration Review Immigration Court ("Immigration Court") on November 26, 2019. Due to the Thanksgiving holiday, the Immigration Court continued the matter to June 2020. Due to COVID, the Immigration Court subsequently continued the June 2020 date to February 17, 2022.
11. On December 10, 2020, nearly 10 months after Respondent began working as a prosecutor, Consuelo paid Prime Law, PLLC \$2,000 and received a receipt.
12. Respondent did not file an asylum application on Consuelo's behalf.
13. Respondent stated he transferred Consuelo's matter to Weon Geun Kim ("Kim"), an attorney located in the same office suite with Respondent while in private practice. Kim denies that Respondent transferred Consuelo's case to Kim. According to both Consuelo and Kim, Consuelo and Kim never met. Consuelo states that Respondent was the only attorney she ever met, and she met Respondent twice.
14. In October 2021, Consuelo retained Joseph Michael Perez ("Complainant") to assist with her asylum application. In March 2022, Complainant spoke to Respondent about Consuelo's matter, and Respondent told Complainant that Kim assumed responsibility for Consuelo's application. Complainant requested Consuelo's file and an accounting on her behalf. Respondent again told Complainant that Kim took over the cases.

15. By letter dated March 14, 2022 to Kim, Complainant requested Consuelo's file and an explanation for the \$2,000 fee. Upon receipt of Complainant's March 14, 2022 letter, Kim asked Respondent about the Consuelo matter. Respondent told Kim he sent Consuelo's file to Complainant.

Hilda Mendez Alonzo

16. On December 10, 2019, Hilda Mendez Alonzo ("Hilda") paid Respondent \$1,000 to prepare and file an asylum application for her son, Ander Josue Cortez Mendez ("Ander"). Respondent deposited the \$1,000 directly into his operating account.
17. Respondent did not provide Hilda an engagement agreement, an accounting, invoices, or any written explanation of his fees at any point during the representation.
18. On February 13, 2020, Respondent attended Ander's removal hearing and entered his appearance. Respondent requested a continuance to file the asylum petition, and Respondent alerted the Immigration Court that other counsel would be substituting for Respondent. The court continued the matter to June 4, 2020.
19. Respondent did not directly notify Hilda or Ander of his new employment and the need for them to retain new representation. As stated, Respondent began work with the Prince William County OCA on February 18, 2020, just five days after the February 13 hearing.
20. Respondent drafted but did not file Ander's asylum petition. Respondent did not file a Motion for Substitution in Ander's matter.
21. On June 4, 2020, Hilda and Ander went to the Immigration Court, but the courthouse was closed due to COVID. Hilda alerted Respondent that court was cancelled. The Immigration Court continued the matter to October 15, 2021. On October 15, 2021, the Immigration Court granted Complainant's Motion to Substitute Counsel and the judge noted on the order, in part: "Attorney Muhammad did not submit written pleadings or advise the court what relief he was pursuing for the respondent by the court's deadline. The court will set a new deadline for counsel to do so."
22. Respondent told Complainant and VSB Investigator Ron McCall ("Investigator McCall") that he had transferred Ander's matter to Kim. According to both Hilda and Kim, Hilda and Ander never met Kim. Hilda and Ander understood that Respondent was their attorney.

Lucy Leonor Mendez Alonzo

23. In or about October 2019, Lucy Leonor Mendez Alonzo ("Lucy") retained Respondent to prepare and represent her daughter in an asylum petition. Lucy paid Respondent \$500, which Respondent deposited directly into his operating account. Respondent prepared an asylum application for Lucy's daughter but did not file it.

24. Respondent did not provide Lucy an engagement agreement, an accounting, invoices, or any written explanation of his fees at any point during the representation.
25. Respondent did not directly notify Lucy of his new employment and the need for her to find new representation.
26. Respondent asserted he transferred Lucy's daughter's matter to Kim. Kim denied that Respondent transferred Lucy's matter to him. According to both Lucy and Kim, Lucy and Kim never met, and Kim never met Lucy's daughter.

Trust Account

27. As set forth, Prime Law was Respondent's company. Respondent held sole signatory authority on Prime Law's trust account, and Respondent was responsible for maintaining the books and records of Prime Law. No one else had access to the financial records of Prime Law.

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28. On November 2, 2019, Respondent and Job Mendez ("Mendez") entered into an engagement agreement pursuant to which Mendez agreed to pay Respondent \$5,500 to represent him before the Immigration Court. A master calendar hearing was scheduled for November 14, 2019, as of the date Mendez retained Respondent. Respondent and Mendez agree that Mendez paid Respondent \$1,500 on November 2, 2019, but Respondent did not provide Mendez a receipt. Respondent has no record of depositing the \$1,500 in his trust account.
29. Respondent appeared with Mendez at the hearing on November 14, 2019, and the Immigration Court set Mendez's individual hearing for July 2, 2021.
30. Respondent did not directly notify Mendez of his new employment and the need for him to find new representation.
31. Respondent told Investigator McCall that he transferred Mendez's matter to Kim. Respondent did not file a Motion to Withdraw or Substitute Counsel with the Immigration Court. Respondent stated there is likely no documentation arising from Respondent's transfer of Mendez's file to Kim. On May 3, 2021, 18 months after being retained, Respondent advised Mendez that it was Mendez's, not Respondent's, responsibility to "drop off the paperwork to Mr. Kim."
32. On July 1, 2021, Mendez received a text message from Respondent that stated "Mr. Kim will be in contact with you" regarding the next court date. Kim never contacted Complainant. Mendez alleges he sent unreturned text messages and telephone messages to Respondent. Respondent alleges that he intermittently responded to texts from Mendez.



33. Respondent emigrated to the United States at the age of 16 and began working at a bagel shop to assist his family. Respondent worked multiple jobs through college including as a resident assistant and graduate assistant at William & Mary Law school.
34. Respondent is remorseful for any prejudice suffered by his clients as result of his misconduct. Respondent has no disciplinary history. As a result of the instant bar complaint, Respondent lost a lucrative job opportunity in Doha, Qatar.

## II. NATURE OF MISCONDUCT

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

*By failing to advance Consuelo's, Ander's, and Lucy's immigration cases and to communicate the status to each, Respondent violated Rule 1.3(a).*

*By taking a position as ACA in February 2020 and subsequently failing to advance his clients' cases and to inform the clients of the need to retain new counsel and allow them to protect their interests, Respondent violated Rule 1.3(b) as set forth below:*

### **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 directly advise Consuelo, Hilda, Ander, and Lucy that he had left private practice and accepted a job with the Prince William Commonwealth's Attorney and, therefore, that he could no longer represent them, Respondent violated Rule of Professional Conduct 1.4(b) as set forth below:*

### **Rule 1.4    Communication**

(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 deposit the \$2000 advanced legal fee received from Consuelo into his trust account; by failing to deposit the \$1000.00 advanced legal fee received from Hilda into his trust account; and by failing to deposit the \$500.00 advanced legal fee received from Lucy into his trust account, Respondent violated Rule 1.15(a)(1), as set forth below. By failing to maintain records of funds received from Consuelo and render an accounting when requested, Respondent violated Rule 1.15(b)(3) as set forth below. By accepting a \$2000 advanced legal fee from Consuelo after he had left private practice, and when he could not and did not work on Consuelo's matter, and by failing to return the \$2000 to her notwithstanding Consuelo's demand for the unearned fee, Respondent violated Rule 1.15(b)(4) as set forth below.*

**Rule 1.15      Safekeeping Property**

**(a) Depositing Funds.**

(1) All funds received or held by a lawyer or law firm on behalf of a client or a third party, or held by a lawyer as a fiduciary, other than reimbursement of advances for costs and expenses shall be deposited in one or more identifiable trust accounts; all other property held on behalf of a client should be placed in a safe deposit box or other place of safekeeping as soon as practicable.

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**(b) Specific Duties. A lawyer shall:**

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(3) maintain complete records of all funds, securities, and other properties of a client coming into the possession of the lawyer and render appropriate accountings to the client regarding them;

(4) promptly pay or deliver to the client or another as requested by such person the funds, securities, or other properties in the possession of the lawyer that such person is entitled to receive; and

(5) not disburse funds or use property of a client or of a third party with a valid lien or assignment without their consent or convert funds or property of a client or third party, except as directed by a tribunal.

*By Prime Law, PLLC accepting payment from Consuelo without performing any additional work, Respondent violated Rule 8.4(b), as set forth below. By accepting \$2000 from Consuelo after he began employment at the Prince William Commonwealth's Attorney, and therefore could not perform work on her case, Respondent violated Rule 8.4(b) and Rule 8.4(c) as set forth below. By concealing from the Prince William Commonwealth Attorney's office that he remained in the private practice of law after beginning his employment, contrary to policy, Respondent violated Rule 8.4(c) as set forth below.*

**Rule 8.4      Misconduct**

It is professional misconduct for a lawyer to:

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

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

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*By failing to file a pleading in the Mendez matter between November 2019 and October 2021, despite the fact that he left private practice in February 2020; by failing to communicate with Mendez about the matter between July 2021 and October 2021; Respondent violated Rule 1.3(b) as set forth below:*

**RULE 1.3    Diligence**

(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 directly advise Mendez that he had left private practice and accepted a job with the Prince William Commonwealth's Attorney and, therefore, that he could no longer represent him, Respondent violated Rule of Professional Conduct 1.4(b) as set forth below:*

**Rule 1.4    Communication**

(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 deposit the \$1500 advanced legal fee received from Mendez on November 4, 2019 into his trust account, Respondent violated Rule 1.15(a)(1) as set forth below.*

**Rule 1.15    Safekeeping Property**

(a) Depositing Funds.

(1) All funds received or held by a lawyer or law firm on behalf of a client or a third party, or held by a lawyer as a fiduciary, other than reimbursement of advances for costs and expenses shall be deposited in one or more identifiable trust accounts; all other property held on behalf of a client should be placed in a safe deposit box or other place of safekeeping as soon as practicable.

*By failing to file a Motion to Withdraw or otherwise seek leave of the Immigration Court to withdraw from Mendez's proceeding, Respondent violated Rule 1.16(d) as set forth below.*

**Rule 1.16    Declining Or Terminating Representation**

(d) Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for



employment of other counsel, refunding any advance payment of fee that has not been earned and handling records as indicated in paragraph (e).

### III. PROPOSED DISPOSITION

Accordingly, Assistant Bar Counsel Richard W. Johnson, Sr., Respondent, and Respondent's counsel tender to the Disciplinary Board for its approval the agreed disposition of Six-Month Suspension with Terms as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by a panel of the Disciplinary Board. Assistant Bar Counsel, Respondent, and Respondent's counsel agree that the effective date for the sanction shall be the date of entry of the Disciplinary Board Order approving this Agreed Disposition.

The terms with which Respondent must comply are as follows:

- 1) Respondent will read in its entirety *Lawyers and Other People's Money, 5<sup>th</sup> Edition*, and Legal Ethics Opinion 1606 and will certify compliance in writing to Assistant Bar Counsel not later than 90 days following the date of entry of this Order.
- 2) On or before May 1, 2025, Respondent will complete 6 (six) hours of continuing legal education credits by attending courses approved by the Virginia State Bar in the subject matter of legal ethics. Respondent's Continuing Legal Education attendance obligation set forth in this paragraph will not be applied toward his Mandatory Continuing Legal Education requirement in Virginia or any other jurisdictions in which Respondent may be licensed to practice law. Respondent will certify his compliance with the terms set forth in this paragraph by delivering a fully and properly executed Virginia MCLE Board Certification of Attendance form (Form 2) to Assistant Bar Counsel, promptly following his attendance of each such CLE program(s).


Upon satisfactory proof that all terms and conditions have been met, this matter shall be closed.


If, however, any of the terms and conditions is not met by the deadlines imposed above, Respondent agrees that the Disciplinary Board shall impose a one-year suspension pursuant to Rules of Court, Part Six, Section IV, Paragraph 13-18.O.

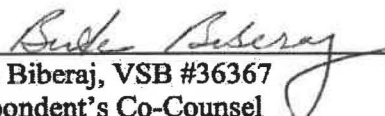



If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess costs pursuant to ¶ 13-9.E of the Rules.

THE VIRGINIA STATE BAR

By:   
Richard W. Johnson Jr.  
Assistant Bar Counsel

  
Jibran Muhammad  
Respondent

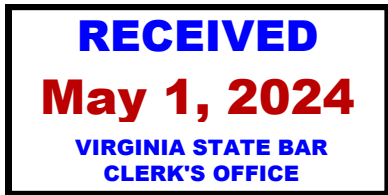
  
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# Virginia State Bar

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May 1, 2024

BY EMAIL ONLY: [clerk@vsb.org](mailto:clerk@vsb.org)

Joanne Fronfelter  
Virginia State Bar  
1111 E. Main St., Ste. 700  
Richmond, VA 23219

Re: In the Matter of Jibrán Muhammad  
VSB Docket Nos. 23-041-126374 and 23-041-128914

Dear Ms. Fronfelter:

I have enclosed an Agreed Disposition endorsed by Mr. Muhammad, his co-counsel, and me. Please let us know when a panel of the Disciplinary Board will consider it for approval.

Thank you for your assistance in this matter.

Very truly yours,

Richard W. Johnson Jr.  
Assistant Bar Counsel

RWJ/ml

Enclosures

cc: Buta Biberaj, Respondent Co-Counsel (w/encl.), by regular mail and electronic mail  
Shaniqua Clark Nelson, Respondent Co-Counsel (w/encl.), by regular mail and electronic mail  
Michele L. Burton, Respondent Co-Counsel (w/encl.), by regular mail and electronic mail