

VIRGINIA :

IN THE CIRCUIT COURT FOR THE CITY OF VIRGINIA BEACH

**VIRGINIA STATE BAR EX REL.
SECOND DISTRICT, SECTION I COMMITTEE
VSB DOCKET NO. 25-021-132757**

Complainant,

v.

Case No. CL25-3899-00

ROBERT CHARLES NEELEY, JR.

Respondent.

AGREED DISPOSITION MEMORANDUM ORDER
EIGHTEEN-MONTH SUSPENSION

On October 14, 2025, a Circuit Court Three-Judge panel, comprised of the Honorable Richard H. Rizk, Judge of the 9th Judicial Circuit, the Honorable Cheryl V. Higgins, Judge of the 16th Judicial Circuit and the Honorable M. Duncan Minton, Jr., Judge of the 12th Judicial Circuit and designated Chief Judge (collectively, “the Court”), convened to consider an Agreed Disposition endorsed by the parties and offered to the Court as provided by the Rules of the Supreme Court of Virginia.

Assistant Bar Counsel Shelley L. Spalding represented the Virginia State Bar (“VSB”). Respondent Robert Charles Neeley, Jr. (“Respondent”), having received proper notice, appeared in person at all times throughout the proceedings and acted *pro se*.

The Chief Judge swore the court reporter, Lisa Wright, Chandler & Halasz, P.O. Box 1975, Mechanicsville, Virginia 23116, and each member of the Court verified that they had no personal or financial interest that might affect or reasonably be perceived to affect their ability to be impartial in this matter.

WHEREFORE upon consideration of the Agreed Disposition, the Certification, Respondent's Answer, Respondent's Disciplinary Record, the arguments of the parties, and Respondent's expression of remorse, and after due deliberation, it is:

ORDERED that the Circuit Court accepts the Agreed Disposition, and Respondent's license to practice law in the Commonwealth of Virginia be, and the same hereby is SUSPENDED for a period of EIGHTEEN-MONTHS, effective October 16, 2025. The Agreed Disposition is attached to and incorporated in this Memorandum Order.

It is further ORDERED that Respondent must comply with the requirements of Part Six, Section IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia. Respondent must forthwith give notice by certified mail, return receipt requested, of the Suspension of his license to practice law in the Commonwealth of Virginia, to all clients for whom Respondent is currently handling matters and to all opposing attorneys and presiding judges in pending litigation. Respondent must also make appropriate arrangements for the disposition of matters then in Respondent's care in conformity with the wishes of his clients. Respondent must give such notice immediately and in no event later than 14 days from the effective date of the Suspension, and make such arrangements as are required herein as soon as practicable and in no event later than 45 days from the effective date of the Suspension. Respondent must also furnish proof to the VSB within 60 days of the effective date of the Suspension that such notices have been timely given and such arrangements made for the disposition of matters.

It is further ORDERED that, if Respondent is not handling any client matters on the effective date of the Suspension, Respondent must submit an affidavit to that effect to the Clerk of the Disciplinary System of the VSB. Issues concerning the adequacy of the notice and arrangement required by Paragraph 13-29 must be determined by the VSB Disciplinary Board,

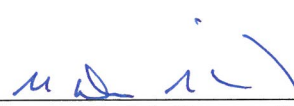
which may impose a sanction of Suspension or Revocation for failure to comply with these requirements.

It is further ORDERED that the Clerk of the Disciplinary System of the VSB must assess all costs pursuant to Paragraph 13-9.E.

It is further ORDERED that the Clerk must send a copy teste of this order to Robert Charles Neeley, Jr., Respondent, at 184 Business Park Dr Ste 204, Virginia Beach, Virginia 23462; and to Shelley L. Spalding, Assistant Bar Counsel, Virginia State Bar, 1111 E. Main St., Suite 700, Richmond, VA 23219; and to Joanne Fronfelter, Clerk of the Disciplinary System, Virginia State Bar, 1111 E. Main St., Suite 700, Richmond, VA 23219.

This Order is the final judgment of this Court as provided by Rule 5:21(b)(2)(ii) of the Rules of the Supreme Court of Virginia.

ENTERED this 15th day of OCTOBER, 2025



The Honorable M. Duncan Minton, Jr., Judge of the 12th Judicial Circuit, Chief Judge for the Court

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Respondent.

AGREED DISPOSITION
EIGHTEEN-MONTH SUSPENSION

Pursuant to the Rules of Supreme Court of Virginia, Part 6, § IV, ¶ 13-15.B.4, the Virginia State Bar (“VSB”), by Shelley L. Spalding, Assistant Bar Counsel, and Robert Charles Neeley, Jr., Respondent, *pro se*, hereby enter into the following agreed disposition arising out of this matter.

I. STIPULATIONS OF FACT

1. Respondent was admitted to the Virginia State Bar (“VSB”) in 1996. At all relevant times, Respondent was a member of the VSB.
2. In the summer of 2023, Rania Williams (“Complainant”) retained Respondent to handle the appeal of her divorce. The final divorce decree had been entered on July 25, 2023.
3. Complainant and Respondent did not sign a written fee agreement. Per their verbal agreement, Complainant was to pay Respondent a flat fee of \$10,000 for the appeal.
4. In addition to the appeal of Complainant’s divorce, Complainant had also hired Respondent to handle other legal matters on her behalf.

5. Complainant paid \$5,000 to Respondent on August 1, 2023, \$750.00 to Respondent on October 4, 2023, \$2,200 to Respondent on October 5, 2023, and \$1,000 to Respondent on October 12, 2023, totaling \$8,950. Upon receipt by Respondent, these funds were deposited in Respondent's trust account.
6. In his response to the bar complaint, Respondent stated that Complainant paid him only \$5,000 plus the cost of the transcripts for the appeal. According to Respondent the payments above and beyond the \$5,000 were for other legal matters.
7. Respondent timely filed a Notice of Appeal to the Court of Appeals of Virginia ("CAV") in the Virginia Beach Circuit Court on behalf of Complainant on August 23, 2023.
8. On August 24, 2023, Respondent ordered the Virginia Beach Circuit Court trial transcripts from the court reporter. On September 5, 2023, the court reporter provided the relevant transcripts to Respondent on compact disc via U.S. Mail.
9. Pursuant to Supreme Court of Virginia ("SCV") Rule 5A:8(a) "The transcript of any proceeding is a part of the record when it is filed in the office of the clerk of the trial court no later than 60 days after entry of final judgment. This deadline may be extended by a judge of this Court only upon a written motion filed within 90 days after entry of the final judgment. Timely motions will be granted only upon a showing of good cause to excuse the delay."
10. Respondent failed to timely file the trial transcripts with the Virginia Beach Circuit Court Clerk.
11. On October 20, 2023, three days before the deadline to move the CAV for an extension of the deadline to file the transcripts, Respondent received an email notification from the

CAV that the record was ready, which included an electronic link to the record which did not include the trial transcripts.

12. Respondent did not file a motion with the CAV to extend the deadline to file the trial transcripts.
13. On November 29, 2023, Respondent filed a Motion to Extend the Briefing Schedule with the CAV. Respondent stated in the Motion that “[d]ue to his extraordinarily busy litigation schedule [he] need[ed] additional time to complete and file the opening brief despite diligently working to do so.” On December 11, 2023, appellee objected to Respondent’s request for an extension, specifically noting the lack of transcripts. On December 12, 2023, the CAV granted Respondent an extension to December 27, 2023.
14. On December 27, 2023, Respondent filed a Second Motion to Extend the Briefing Schedule. In the Second Motion, Respondent noted that he had been in a serious car accident on December 1, 2023. On January 10, 2024, the CAV granted Respondent an extension to January 26, 2024.
15. On January 26, 2024, Respondent filed a Third Motion to Extend the Briefing Schedule. In the Third Motion, Respondent stated that he had been diagnosed with COVID on January 20, 2024. On February 6, 2024, the CAV granted Respondent an extension to February 20, 2024.
16. On February 20, 2024, Respondent filed a Fourth Motion to Extend the Briefing Schedule, in which he stated:

Counsel was involved in a motor vehicle accident in December that resulted in a total loss of his vehicle and injuries that required medical treatment. In February counsel contracted COVID-19. Because of these factors counsel has by necessity been out of the office a significant amount of time over the last two months which has negatively affected the workflow in the practice. Counsel has recovered from COVID for the

most part and has been working diligently to meet the demands of a busy litigation practice, but the difficulties of the last few months have brought about the necessity of this request for additional time.

On March 6, 2024, the CAV granted Respondent an extension to March 21, 2024.

17. On March 28, 2024, Respondent filed a Fifth Motion to Extend the Briefing Schedule and stated “Due to his extraordinarily busy litigation schedule the undersigned counsel needs additional time to complete and file the opening brief despite diligently working to do so.”
18. In his interview with the bar’s investigator, Respondent stated he filed the five motions for extensions to file the opening brief because he was trying to find a solution for the missing trial transcripts.
19. On March 28, 2024, Respondent filed a Corrected Motion to Dismiss the Appeal with the CAV.¹ Respondent did not consult with Complainant regarding his failure to file the trial transcripts, or her options prior to asking the CAV to dismiss Complainant’s appeal.
20. On April 9, 2024, the CAV granted Respondent’s Motion and ordered Complainant’s appeal withdrawn.
21. Respondent would testify that he notified Complainant that the appeal was dismissed because he failed to timely file the transcripts around the time he filed the Motion to Dismiss in March 2024. Complainant would testify that Respondent failed to advise her of his failure to file the transcripts, or the dismissal of her appeal. Complainant would testify that while consulting with another lawyer regarding child support in June of 2024, she learned of the dismissal and Respondent’s mistake from the other lawyer.

¹ Though the March 28, 2024, Motion to Dismiss is styled a Corrected Motion, there is no prior motion to dismiss in the CAV’s file on Complainant’s appeal.

22. On May 29, 2024, Respondent moved Complainant's funds out of his trust account in two different transactions, one in the amount of \$5,750 and another in the amount of \$1,500. According to Respondent's client ledger card for Complainant, these two transactions were to the "client", however in his interview with the VSB's investigator, Respondent acknowledged these transfers were actually to his operating account. On June 13, 2024, Respondent deposited \$6,350 in personal funds back into his trust account in preparation to refund fees to Complainant. By check dated June 13, 2024 and drawn on Respondent's trust account, Respondent refunded Complainant \$7,250.

II. NATURE OF MISCONDUCT

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

By failing to file the transcripts from the trial in Complainant's divorce resulting in the dismissal of Complainant's appeal, and by failing to file an extension of time to file the transcripts, Respondent violated Rule 1.1 as set forth below:

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.

By filing a motion to dismiss Complainant's appeal without consulting with Complainant, Respondent violated Rule 1.2(a) as set forth below:

RULE 1.2 Scope of Representation

(a) A lawyer shall abide by a client's decisions concerning the objectives of representation, subject to paragraphs (b), (c), and (d), and shall consult with the client as to the means by which they are to be pursued. A lawyer shall abide by a client's decision, after consultation with the lawyer, whether to accept an offer of settlement of a matter. In a criminal case, the lawyer shall abide by the client's decision, after consultation with the

lawyer, as to a plea to be entered, whether to waive jury trial and whether the client will testify.

By failing to file the transcripts from the trial in Complainant's divorce resulting in the dismissal of Complainant's appeal, and by failing to file an extension of time to file the transcripts, Respondent violated Rule 1.3(a) as set forth below:

RULE 1.3 Diligence

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

By failing to promptly advise Complainant that he failed to file the transcripts, and failing to consult with Complainant before filing a motion to dismiss Complainant's appeal, Respondent violated Rule 1.4(a) as set forth below:

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.

By withdrawing \$5,750 and \$1,500 in Complainant's funds from his trust account on May 29, 2024, which Respondent had not earned, Respondent violated Rule 1.15(b)(5) as set forth below:

RULE 1.15 Safekeeping Property²

(b) Specific Duties. A lawyer shall:

(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.

² See also, LEO 1899 (“[U]nless there is an agreement otherwise, none of the flat fee is earned until the matter is concluded.”)

III. PROPOSED DISPOSITION

Accordingly, Assistant Bar Counsel and Respondent tender to the Three-Judge Panel for its approval, the Agreed Disposition of a Suspension of Eighteen Months, effective October 16, 2025, as an appropriate sanction if this matter were to be heard through an evidentiary hearing by this Court.

If the agreed disposition is approved, the Clerk of the Disciplinary System shall assess costs.

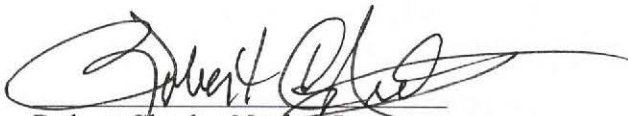
The Virginia State Bar and Respondent agree that, should the Court reject this Agreed Disposition, the currently appointed three-judge panel retains jurisdiction to hear this matter on October 16-17, 2025, or anytime thereafter.

The Virginia State Bar and Respondent also agree that if this Agreed Disposition is approved, Respondent does not have any right to appeal this determination.

Pursuant to Part 6, §IV, ¶ 13-30.B of the Rules of the Supreme Court of Virginia, Respondent's prior disciplinary record shall be furnished to the subcommittee considering this Agreed Disposition.



Shelley L. Spalding
Assistant Bar Counsel
Virginia State Bar



Robert Charles Neeley Jr.
Respondent