

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTERS OF
CHRISTOPHER MATTHEW REYES**

**VSB DOCKET NOS.: 21-060-119412
21-060-120802
21-060-122109
21-060-121800
22-060-123129
22-060-123651
22-000-124071**

CONSENT TO REVOCATION ORDER

On January 27, 2022, came Christopher Matthew Reyes and 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 disciplinary Complaints, Investigations or Proceedings are pending, the nature of which is specifically set forth in the attached Affidavit. Respondent acknowledges that the material facts contained in the pending disciplinary Complaints, Investigations or Proceedings 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 Christopher Matthew Reyes's license to practice law in the courts of this Commonwealth be and the same hereby is revoked, and that the name of Christopher Matthew Reyes 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.

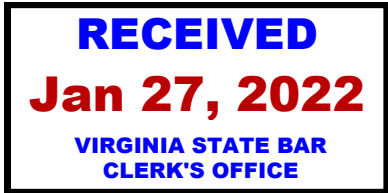
It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this order by electronic, regular and certified mail, return receipt requested, to the Respondent, Christopher Matthew Reyes at his address of record with the Virginia State Bar, being, P.O. Box 91095, Washington, DC 20090 and a copy sent by electronic mail to Patricia O'Boyle, Assistant Bar Counsel and Prescott L. Prince, Assistant Bar Counsel.

ENTERED THIS 27TH DAY OF JANUARY, 2022

VIRGINIA STATE BAR DISCIPLINARY BOARD

By Carolyn V. Grady
Carolyn V. Grady
Chair

Digitally signed by Carolyn V.
Grady
Date: 2022.01.27 16:42:34 -05'00'



VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
CHRISTOPHER MATTHEW REYES**

**VSB Docket Nos.: 21-060-119412
21-060-120802
21-060-122109
22-060-121800
22-060-123129
22-060-123651
22-000-124071**

AFFIDAVIT DECLARING CONSENT TO REVOCATION

Christopher Matthew Reyes, after being duly sworn, states as follows:

1. That I was licensed to practice law in the Commonwealth of Virginia on 15 December 2009;
2. That I submit this Affidavit Declaring Consent to Revocation pursuant to Rule of Court, Part 6, Section IV, Paragraph 13-28;
3. That my consent to revocation is freely and voluntarily rendered, that I am not being subjected to coercion or duress, and that I am fully aware of the implications of consenting to the revocation of my license to practice law in the Commonwealth of Virginia;
4. That I am aware that there are six pending Certifications, those being VSB Docket Nos. 21-060-119412 and 21-060-120802 (attached hereto as Exhibit 1); VSB Docket Nos: 21-060-122109, 22-060-121800, 22-060-123129, and 22-060-123651(attached hereto as Exhibit 2), and a Show Cause Hearing On Terms Failure, that being Docket No. 22-000-124071 (attached hereto as Exhibit 3). Said Exhibits are incorporated into this Affidavit as if fully set forth herein.

5. That I acknowledge that the material facts in said Certifications upon which the allegations of Misconduct are predicated are true;

6. That 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 Certifications were prosecuted to conclusion, I could not successfully defend them.

Executed and dated on January 27, 2022.



Christopher Matthew Reyes
Respondent

COMMONWEALTH OF VIRGINIA DC
CITY/COUNTY OF Washington, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by Christopher Matthew Reyes on January 27, 2022.

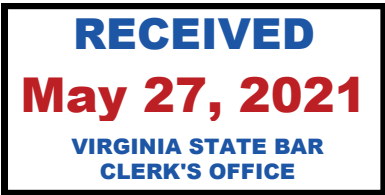


Notary Public

My Commission expires: 01/14/2023



LONGINUS NDUKUBA
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires January 14, 2023



VIRGINIA:

BEFORE THE SIXTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
CHRISTOPHER MATTHEW REYES

VSB Docket No. 21-060-120802
VSB Docket No. 21-060-119412

SUBCOMMITTEE DETERMINATION
(CERTIFICATION)

On May 18, 2021, a meeting in these matters was held before a duly convened Sixth District Subcommittee consisting of Bruce Phillips, Chair; Joshua DeFord, Member; and Donald Hill, Lay Member. Pursuant to Part 6, § IV, ¶ 13-15.B.3 of the Rules of the Supreme Court of Virginia, the Sixth District Subcommittee of the Virginia State Bar hereby serves upon Christopher Matthew Reyes, (“Respondent”) the following Certification:

I. ALLEGATIONS OF FACT

- 1. Respondent was admitted to the Virginia State Bar (“VSB”) on December 15, 2009. At all relevant times, Respondent was a member of the VSB.

VSB Docket No: 21-060-120802
(Complainant: Lily Annice Saffer, Esq.)

- 2. The complainant in this matter, Lily Annice Saffer, Esq. (“Saffer”), was Respondent’s opposing counsel in a divorce matter pending in Prince William County Circuit Court (Case No: CL19004054-00). Saffer represented the husband, Jorge Daniel Urrea Alvarado (“Alvarado”), and Respondent represented the wife, Kaitlyn Nicole Kessinger (“Kessinger”).
- 3. Kessinger retained Respondent in late May of 2019 after she was served with a complaint for divorce. In furtherance of the representation, Kessinger paid Respondent a flat fee of \$2,500.



4. Respondent entered his appearance on June 13, 2019. On June 14, 2019, Respondent filed an Answer and Counterclaim for Kessinger.
5. A pre-hearing Order was entered on or about December 3, 2019 that set the trial for March 11, 2020. The parties were required to submit an Exhibit List, Witness List, and Equitable Distribution Schedules at least 15 days before the trial date. Respondent failed to notify Kessinger of these dates.
6. Throughout the representation, Respondent did not maintain communication with Kessinger and went approximately nine months without communicating with Kessinger at all.
7. On January 16, 2020, Saffer forwarded to Respondent routine discovery requests.
8. Respondent did not forward the requests to his client.
9. Respondent did not submit any responses to the discovery requests.
10. On February 10, 2020, Saffer sent Respondent an email following up on said discovery requests. Respondent did not respond to the email.
11. On February 13 and 14, 2020, Saffer served a Motion to Compel Discovery and for Sanctions on Respondent by facsimile and mail. Saffer similarly served on Respondent a Notice of Hearing for February 28, 2020.
12. Respondent did not forward the Motion to Compel Discovery or the Notice of Hearing to Kessinger.
13. Respondent did not file a Motion in Opposition. Neither Respondent nor Kessinger appeared at the February 28, 2020 hearing. The Court granted the motion to compel. Respondent later told Saffer that he did not appear because he was in another courtroom that morning.

14. Respondent also failed to file an Exhibit List, Witness List, and Equitable Distribution Schedule by the deadlines in the pretrial order. Neither Respondent nor Ms. Kessinger appeared for the court mandated Pretrial Conference.
15. As a result of the failure to file the Exhibit List, Witness List, and Equitable Distribution Schedules as well as the failure to respond to discovery, Saffer filed a Motion *in limine* asking the Court to enter an order that precluded Kessinger from presenting evidence at the upcoming March 11, 2020 divorce hearing.
16. Without informing Kessinger, Respondent agreed to sign a proposed Order that prohibited his client from presenting certain evidence at trial.
17. Respondent did not inform Kessinger of the March 11, 2020 date for the divorce hearing. Neither Respondent nor Kessinger appeared at the hearing. The Final Decree was entered in Respondent's absence.
18. Kessinger was not aware of the date of the divorce trial or the fact that she missed it until she received a text message from her now ex-husband, Alvarado, informing her that she owed him \$50,000 and had to return to him pet dogs that were jointly owned by Kessinger and Alvarado.
19. Thereafter, Kessinger reached out to Respondent, who acknowledged "he messed up" and told Ms. Kessinger he would "fix it."
20. On April 14, 2020, Respondent filed a Motion to Reconsider alleging that while he knew about the trial date it was not on his calendar. In the Motion to Reconsider, Respondent admitted that he never informed his client of the date. The court dismissed Respondent's Motion to Reconsider without a hearing.
21. After the Motion to Reconsider was dismissed by the court, Saffer filed her bar complaint.

22. On September 25, 2020, the VSB sent Respondent a letter informing him of the bar complaint and requesting a response. The letter stated *inter alia*:

Pursuant to Rule of Professional Conduct 8.1(c), there is a duty to comply with the bar's lawful demands for information not protected from disclosure by Rule 1.6. An investigator's demands for information constitute lawful demands under Rule 8.1(c). Failure to comply with a bar investigator's demand for information in a timely manner may result in the imposition of disciplinary sanctions.

23. Respondent did not timely respond to the bar complaint.
24. In furtherance of the VSB investigation of the matter, the VSB Investigator made multiple attempts to contact Respondent including email and voice mail messages. Respondent did not respond to any of the VSB attempts to contact him until he was issued a summons to appear at VSB Headquarters to be interviewed by the VSB Investigator.
25. During the interview with the VSB Investigator, Respondent provided no reason for his failure to respond to the bar complaint or the VSB Investigator's multiple attempts to contact him. He also acknowledged that he did not maintain communication with Kessinger and that he did not inform her of the discovery requests, the consequences of failing to respond to discovery and hearing dates.

By failing to demonstrate the necessary legal knowledge, thoroughness, and preparation necessary to represent Kessinger, including not providing timely and appropriate discovery responses and not filing required pre-trial filings, and by failing to do anything on his client's behalf other than file an answer to the divorce complaint and essentially abandoning the case without withdrawing, Respondent violated Rule 1.1, as set forth below.

By failing to act with reasonable diligence and promptness on behalf of Kessinger, including, based on the circumstances of this case, not responding to discovery appropriately on

behalf of Kessinger, not filing required pre-trial filings and not showing up to the trial, and by failing to do anything on his client's behalf other than file an answer to the divorce complaint, Respondent violated Rule 1.3(a) and 1.3(b), as set forth below.

By entering an agreed order with opposing counsel that prohibited his client from presenting certain evidence at trial without advising his client regarding the receipt of discovery or the effect the order would have her own her case, Respondent violated Rules 1.4(a),(b) and (c).

By failing to respond to any of the discovery propounded on Kessinger and not responding to opposing counsel's communication's regarding the discovery, resulting in opposing counsel having to file a motion to compel, Respondent violated Rules 3.4(e) and 3.4 (g).

By not responding to the bar complaint and not providing a timely response to communication by the bar's investigator, Respondent violated Rule 8.1 (c) and (d), as set forth below.

Rules violated: 1.1, 1.3(a), 1.3 (b), 1.4 (a), 1.4 (b), 1.4 (c), 3.4(e), 3.4(g), 8.1(c), and 8.1(d).

VSB Docket No: 21-060-119412
(Complainant: VSB)

26. The Court of Appeals notified the VSB that Respondent was counsel of record for the below-referenced cases which were dismissed due to procedural default. Thereafter, the VSB opened an investigation into the matter.

A. *Brian Hal Furrow v. Commonwealth of Virginia, Record No. 1976-19-2*

27. Respondent was retained to represent Brian Furrow ("Furrow") for his appeal to the Virginia Court of Appeals after he was convicted in the Fredericksburg Circuit Court in

October 2019 of Driving Under the Influence of Alcohol (2nd Offense). There was no written fee agreement, but Respondent stated that he “believed” that he was paid \$1,000 to pursue the appeal.

28. Respondent noted the appeal to the Court of Appeals on or about December 9, 2019. The Court of Appeals dismissed the appeal on February 19, 2020 when a Petition for Appeal was not timely filed.
29. In the course of the VSB investigation of this matter, Respondent was interviewed. When presented with a copy of the Notice of Appeal, Respondent stated that does not recall signing the Notice of Appeal but stated to the bar’s investigator that sometimes “people” sign for him with his permission.
30. According to Respondent, Furrow’s reason for the appeal was to delay his reporting to jail, and Furrow reported to jail before the appeal was due on his own volition.
31. With regard to the petition for the appeal, Respondent only recalls that “one went through [his] head, because in [his] head” they were not going to pursue the appeal.
32. Respondent was not able to produce any documentation or notarized affidavit affirming his discussions not to pursue the appeal with Furrow.
33. Respondent had no follow-up communication with Furrow after the appeal was procedurally dismissed and did not advise Furrow about the outcome of his case before the Court of Appeals.
34. Respondent acknowledges that he was aware of the proper procedures but provided no reason for why he did not follow them in this case.

B. *Kenneth W. Haynie v. Whitney A. Vroom (Haynie)*, Record No. 0115-20-4

35. On October 7, 2015, Whitney Arielle Haynie (“Mrs. Haynie”) petitioned the court for a legal divorce from her then husband, Kenneth Wayne Haynie (“Haynie”).
36. Although the sheriff rendered service upon Haynie’s last known address, the return of service indicated that Haynie was never served.
37. In February 2016, Haynie was incarcerated for violation of a protective order.
38. On February 11, 2016, a guardian *ad litem* filed an answer to the divorce complaint without Haynie’s consent.
39. On or about March 2, 2016, a final divorce decree was entered in Stafford County Circuit Court.
40. Haynie was arrested on August 4, 2017 and charged with multiple counts of aggravated sexual battery involving a child in Mecklenburg County Circuit Court. In March 2018, Haynie entered an Alford plea and was sentenced to 80 years with 60 years suspended.
41. In August 2018, Mrs. Haynie and her new husband initiated adoption proceedings in Spotsylvania Circuit Court to grant the new husband parental rights over the minor child she shared with Haynie. The petition for adoption referenced the 2016 divorce of the parties.
42. In early 2019, Respondent was appointed as guardian *ad litem* to file a motion to vacate Haynie’s divorce decree as void for lack of service of process. The motion was filed with the court on February 28, 2019.
43. On August 21, 2019, Judge Charles S. Sharp issued a letter opinion denying the motion and ruling that Haynie was equitably estopped from asserting the voidness of the final decree.
44. After the motion was denied, Respondent did not inform Haynie that he could appeal even though a notice of appeal was filed.

45. The 2018 adoption matter ran concurrently with the motion to vacate the divorce. According to Respondent, when Haynie appeared for the adoption case he stated he would not pursue the appeal of the divorce case if he could speak with the adoptive father; thereafter, Respondent did speak with the adoptive father. According to Haynie, while he would not agree to the adoption, it was agreed that if he spoke with the adoptive father, he would not pursue holding them back. After the adoption was finalized, no further action was taken on the appeal of the divorce matter.
46. According to Haynie, Respondent told him the judge denied it in court and that was the end of it.
47. Respondent never sent Haynie any paperwork, and Haynie never signed anything agreeing to dismiss or not pursue the appeal. Haynie stated to the bar's investigator that had he known he could appeal he would have taken the matter as far as it could go.
48. Respondent has no documentation or notarized affidavit affirming his discussions with Haynie not to pursue the appeal.
49. In furtherance of the VSB investigation of the matter, the VSB Investigator made multiple attempts to contact Respondent including email and voice mail messages. Respondent did not respond to any of the VSB attempts to contact him until he was issued a summons to appear at VSB Headquarters to be interviewed by the VSB Investigator.
50. During the interview with the VSB Investigator, Respondent provided no reason for his failure to respond to the bar complaint or the VSB Investigator's multiple attempts to contact him.

By failing to file a petition for appeal in both cases, Respondent violated Rules 1.1 and 1.3(a).

By not notifying his clients that the appeals were being dismissed and that the dismissals were caused by Respondent's failure to perfect the appeals, Respondent violated Rules 1.4(a) and (b).

By not responding to the bar complaint and not providing a timely response to communication by the bar's investigator, Respondent violated Rule 8.1 (c) and (d) as set forth below.

Rules violated: 1.1, 1.3(a), 1.4 (a), 1.4 (b), 8.1(c), and 8.1(d)

II. NATURE OF MISCONDUCT

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

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.

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.

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.

RULE 3.4 Fairness To Opposing Party And Counsel

A lawyer shall not:

(e) Make a frivolous discovery request or fail to make reasonably diligent effort to comply with a legally proper discovery request by an opposing party.

(g) Intentionally or habitually violate any established rule of procedure or of evidence, where such conduct is disruptive of the proceedings.

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:

(c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6.

(d) obstruct a lawful investigation by an admissions or disciplinary authority.

III. CERTIFICATION

Accordingly, it is the decision of the Subcommittee to certify the above matters to the Virginia State Bar Disciplinary Board.

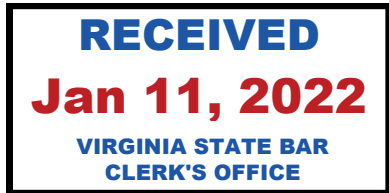
SIXTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

By 
Bruce Collier Phillips
Subcommittee Chair

CERTIFICATE OF SERVICE

I certify that on May 27, 2021, I emailed to chrisreyes03@hotmail.com; mailed by first-class mail and certified mail a true and correct copy of the foregoing Subcommittee Determination (Certification) to Christopher Matthew Reyes, Esquire, Respondent, at PO Box 91095, Washington, DC 20090, Respondent's last address of record with the Virginia State Bar.


Jessica Berdichevsky
Assistant Bar Counsel



VIRGINIA:

BEFORE THE SIXTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
CHRISTOPHER MATTHEW REYES

VSB Docket No. 21-060-122109
VSB Docket No. 22-060-121800
VSB Docket No. 22-060-123129
VSB Docket No. 22-060-123651

SUBCOMMITTEE DETERMINATION
(CERTIFICATION)

On December 14, 2021, a meeting in this matter was held before a duly convened Sixth District Subcommittee consisting of Robert Stenzhorn, Chair; Jason Greenwood, Member; and Teresa McNally, Lay Member. Pursuant to Part 6, § IV, ¶ 13-15.B.3 of the Rules of the Supreme Court of Virginia, the Sixth District Subcommittee of the Virginia State Bar hereby serves upon Christopher Matthew Reyes, (“Respondent”) the following Certification:

I. ALLEGATIONS OF FACT

1. Respondent was admitted to the Virginia State Bar (“VSB”) on December 15, 2009. At all relevant times, Respondent was a member of the VSB.

Facts Relating to VSB Docket No. 21-060-122109
(Complainant: Travon Richardson)

2. The Spotsylvania County Circuit Court appointed Respondent to represent Travon Richardson (“Richardson”) on felony drug and gun charges on or about August 2, 2019. On August 7, 2020, a bench trial was held and Richardson was found guilty of all charges. Richardson was sentenced on January 5, 2021.

3. While representing Richardson, Respondent was employed as an associate attorney at the Fredericksburg law firm, Spencer, Myer & Koch.



4. On the day Richardson was sentenced, he told Respondent that he wanted to file an appeal. Richardson told the VSB investigator that Respondent agreed to file an appeal on the limited issue of his sentence.

5. Richardson called Respondent repeatedly but never spoke to him following the sentencing. On March 8, 2021, Richardson filed a bar complaint against Respondent.

6. On March 18, 2021, the VSB sent Respondent a letter advising him of the bar complaint and informing him that it had been referred for investigation. The letter stated *inter alia*:

Pursuant to Rule of Professional Conduct 8.1(c), there is a duty to comply with the bar's lawful demands for information not protected from disclosure by Rule 1.6. An investigator's demands for information constitute lawful demands under Rule 8.1(c). Failure to comply with a bar investigator's demands for information in a timely manner may result in the imposition of disciplinary sanctions.

7. Respondent did not timely respond to the bar complaint.

8. Respondent did not file a Notice of Appeal on behalf of Richardson.

9. In furtherance of its investigation, the VSB issued a subpoena duces tecum demanding that Respondent provide copies of his entire file along with evidence of all communication with his client. In his response to the subpoena duces tecum, Respondent provided no evidence that he communicated with Richardson following the January 5, 2021, sentencing hearing. Additionally, his file contained no evidence that he was working on an appeal or that he had communicated with Richardson about appellate options or other remedies available.

10. The VSB investigator made multiple attempts to contact Respondent. A certified letter was sent on May 5, 2021. The investigator left a detailed message on the Respondent's personal cell phone on September 21, 2021, requesting a return call. Another letter and email was sent to Respondent on October 5, 2021.

11. Respondent failed to respond to the attempts by the VSB investigator to schedule a meeting to discuss the allegations. Other than providing a copy of his file pursuant to the subpoena duces tecum, Respondent did not participate in the VSB's investigation.

NATURE OF MISCONDUCT IN DOCKET NO. 22-060-122109

- Respondent's failure to pursue the appeal as directed by Richardson constitutes a violation of RPC 1.2(a) as set forth below.
- Respondent's failure to timely file the Notice of Appeal or his failure to take appropriate steps such as withdrawing from the case constitutes a violation of RPC 1.3(a) and (b) as set forth below.
- Respondent's failure to properly communicate with Richardson constitutes a violation of RPC 1.4(a) as set forth below.
- Respondent's failure to timely respond to the bar complaint and to multiple attempts to contact him for an interview constitutes a violation of RPC 8.1(c) as set forth below.

Rules violated: RPC 1.2(a); 1.3(a) &(b); 1.4(a); and 8.1(c).

Facts Relating to VSB Docket No. 21-060-121800
(Complainant: Kenneth Outlaw, Jr.)

12. The Spotsylvania County Circuit Court appointed Respondent to represent Kenneth Outlaw, Jr. ("Outlaw") on November 18, 2020, for one felony count of Possession of a Controlled Substance with Intent to Distribute.

13. Outlaw asked Respondent for copies of certain discovery materials including the drug lab report. He said Respondent did not respond to him or provide copies.

14. On February 5, 2021, the VSB sent Respondent a letter advising him of the bar complaint and informing him that it had been referred for investigation. The letter stated *inter alia*:

Pursuant to Rule of Professional Conduct 8.1 (c), there is a duty to comply with the bar's lawful demands for information not protected from disclosure by Rule 1.6. An investigator's demands for information constitute lawful demands under Rule 8.1 (c). Failure to comply with a bar investigator's demands for information in a timely manner may result in the imposition of disciplinary sanctions.

15. Respondent did not timely respond to the bar complaint.

16. The VSB investigator made multiple attempts to contact Respondent. Emails were sent on March 29, 2021, and October 5, 2021. The investigator left a detailed message on the Respondent's personal cell phone on September 21, 2021, requesting a return call.

17. Respondent failed to respond to the attempts by the VSB investigator to schedule a meeting to discuss the allegations.

NATURE OF MISCONDUCT IN DOCKET NO. 22-060-121800

- Respondent's failure to properly communicate with Outlaw regarding his reasonable requests for information constitutes a violation of RPC 1.4 (a) as set forth below.
- Respondent's failure to timely respond to the bar complaint and to multiple attempts to contact him for an interview constitutes a violation of RPC 8.1 (c) as set forth below.

Rules violated: RPC 1.4(a) and 8.1(c).

Facts Relating to VSB Docket No. 21-060-123129 **(Complainant: Adrian E. Belcarris)**

18. The Spotsylvania County Circuit Court appointed Respondent to represent Adrian E. Belcarris ("Belcarris") on several felony and misdemeanor charges. Belcarris was arraigned on all charges on October 21, 2020.

19. On November 13, 2020, the case was set for trial by jury to be held on February 24, 2021.

20. On January 12, 2021, the court, on its own motion, continued the jury trial due to the COVID-19 pandemic. Respondent signed the continuance order without informing Belcarris of the continuance. The February 24, 202, date remained on the docket for a status hearing.

21. On February 25, 2021, Belcarris called Respondent and only then learned that the case had been continued.

22. On September 27, 2021, the VSB sent Respondent a letter advising him of the bar complaint and informing him that it had been referred for investigation. The letter stated *inter alia*:

Pursuant to Rule of Professional Conduct 8.1 (c), there is a duty to comply with the bar's lawful demands for information not protected from disclosure by Rule 1.6. An investigator's demands for information constitute lawful demands under Rule 8.1 (c). Failure to comply with a bar investigator's demands for information in a timely manner may result in the imposition of disciplinary sanctions.

23. Respondent did not timely respond to the bar complaint.

24. The VSB investigator made multiple attempts to contact Respondent. An email and letter was sent to Respondent on October 5, 2021.

25. Respondent failed to respond to the attempts by the VSB investigator to schedule a meeting to discuss the allegations.

NATURE OF MISCONDUCT IN DOCKET NO. 22-060-123129

26. Respondent's failure to properly communicate with Belcarris regarding his jury trial being continued constitutes a violation of RPC 1.4(a) as set forth below.

27. Respondent's failure to timely respond to the bar complaint and to multiple attempts to contact him for an interview constitutes a violation of RPC 8.1(c) as set forth below.

Rules violated: RPC 1.4(a) and 8.1(c).

Facts Related to VSB Docket No. 22-060-123651
(Complainant: Judy A. Johnson)

28. Judy A. Johnson (“Johnson”) retained Respondent in 2018 on behalf of her son for a child custody matter involving her grandson. Respondent collected a \$5000.00 advanced legal fee but did not provide a written fee agreement or other document specifying the agreement.

29. Respondent represented Johnson’s son at a hearing in Spotsylvania County Juvenile & Domestic Relations Court on September 17, 2018. Johnson’s son was awarded primary physical custody of his son. Johnson’s son sought reimbursement for child support payments made while the case was pending and an amended child support order.

30. On or about March 29, 2019, Respondent filed a Motion to Amend Child Support in the Loudoun County Juvenile & Domestic Relations Court. Respondent told Johnson that he did not have time to go to Loudoun County. Respondent sent Johnson documents by email and told her she would have to handle the matter herself.

31. Johnson said that Respondent did not finish the work he was hired to do.

32. Johnson asked Respondent for documentation about her payment for legal services. Respondent did not provide it.

33. Respondent did not return calls or emails from Johnson or her son. Johnson contacted Respondent and later his firm seeking a refund.

34. On September 1, 2021, Johnson filed a bar complainant against Respondent.

35. On September 10, 2021, the VSB sent Respondent a letter advising him of the complaint and informing him that it had been referred for investigation. The letter stated *inter alia*:

Pursuant to Rule of Professional Conduct 8.1 (c), there is a duty to comply with the bar’s lawful demands for information not protected from disclosure by Rule 1.6. An investigator’s demands for information constitute lawful demands under Rule 8.1 (c). Failure to comply with a bar investigator’s demands for information in a timely manner may result in the imposition of disciplinary sanctions.

36. In furtherance of its' investigation, the VSB issued a subpoena duces tecum, demanding that Respondent provide copies of his entire file along with evidence of all communication with his client.

37. The subpoena duces tecum was sent by certified mail to Respondent's address of record with the VSB on May 5, 2021. The letter was returned as "Not deliverable" on May 21, 2021.

38. Respondent's employer provided an electronic copy of Johnson's file. In September 2021, Johnson received a \$2000.00 partial refund from Respondent's former law firm.

39. Respondent did not timely respond to the bar complaint.

40. The VSB investigator made multiple attempts to contact Respondent. The investigator left a detailed message on the Respondent's personal cell phone on September 21, 2021, requesting a return call. Another letter and email was sent to Respondent on October 5, 2021.

41. Respondent failed to respond to the attempts by the VSB investigator to schedule a meeting to discuss the allegations.

NATURE OF MISCONDUCT IN DOCKET NO. 22-060-123651

- Respondent's refusal and failure to continue pursuing the matter, combined with his failure to seek leave to withdraw, constitutes a violation of RPC 1.3(b) as set forth below.
- Respondent's failure to properly communicate with Johnson or her son by returning calls and emails requesting information constitutes a violation of RPC 1.4(a) as set forth below.
- Respondent's failure to timely refund unearned fees to Johnson constitutes a violation of RPC 1.16(d) as set forth below.
- Respondent's failure to maintain and render an appropriate accounting to Johnson constitutes a violation of RPC 1.15 (b)(3) as set forth below.

- Respondent's failure to timely respond to the bar complaint and to multiple attempts to contact him for an interview constitutes a violation of RPC 8.1(c) as set forth below.

Rules violated: RPC 1.3(b); 1.4(a); 1.16(d); 1.15(b) and 8.1(c).

SUMMARY OF NATURE OF MISCONDUCT

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

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.
- (b) A lawyer may limit the objectives of the representation if the client consents after consultation.
- (c) A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning, or application of the law.
- (d) A lawyer may take such action on behalf of the client as is impliedly authorized to carry out the representation.

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.

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.

RULE 1.15 Safekeeping Property

(b) Specific Duties. A lawyer shall:

(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

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).

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:

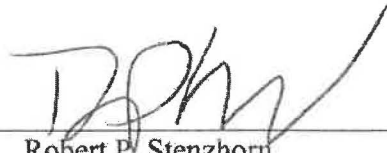
c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6.

III. CERTIFICATION

Accordingly, it is the decision of the Subcommittee to certify the above matters to the Virginia State Bar Disciplinary Board.

SIXTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

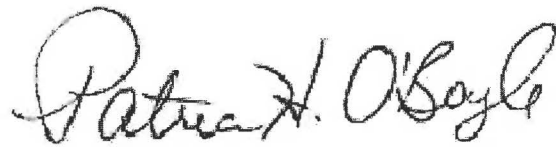
By



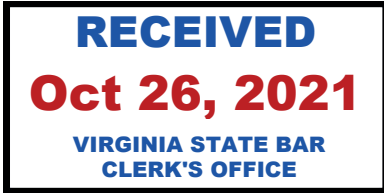
Robert P. Stenzhorn
Subcommittee Chair

CERTIFICATE OF SERVICE

I certify that on January 11, 2022, I emailed to chrisreyes03@hotmail.com; mailed by first-class mail and certified mail a true and correct copy of the foregoing Subcommittee Determination (Certification) to Christopher Matthew Reyes, Esquire, Respondent, at PO Box 91095, Washington, DC 20090, Respondent's last address of record with the Virginia State Bar.



Patricia O'Boyle
Assistant Bar Counsel



VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTERS OF
CHRISTOPHER MATTHEW REYES**

VS B Docket No. 22-000-124071

NOTICE OF SHOW CAUSE HEARING ON TERMS FAILURE

PLEASE TAKE NOTICE pursuant to Part Six, Section IV, Paragraph 13-18.O of the Rules of the Supreme Court of Virginia, that on 22 January 2022 at 9:00 a.m. at the State Corporation Commission, Courtroom A, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, Christopher Matthew Reyes (“Respondent”) is required to appear and show cause why the alternative disposition of a three-year suspension contained in the Memorandum Order of the Virginia State Bar Disciplinary Board (“Board”) entered on 23 April 2021, attached as **Exhibit A**, should not be imposed for Respondent’s failure to comply with the following term imposed by the Board:

[T]hat Respondent shall participate in an evaluation conducted by the Judges & Lawyers Assistance Program (JLAP) within seven (7) days of the effective date of the suspension and shall implement all JLAP’s recommendations. The Respondent shall enter into a written contract with JLAP for a minimum period of twenty-four (24) months and shall comply with the terms of such contract, including inter alia, personally meeting with JLAP and its professionals, as directed. The Respondent shall authorize JLAP (1) to provide 10 periodic reports to the Office of Bar Counsel stating whether the Respondent is in compliance with JLAP’s contract with the Respondent, and (2) to notify the Office of Bar Counsel promptly if the Respondent fails to follow the JLAP prescribed program, or ends participation in the JLAP prescribed program sooner than the expiration of the JLAP contract. In the event the Respondent fails to comply with JLAP’s contract, fails to follow the JLAP prescribed program, or ends participation in the JLAP prescribed program sooner than the expiration of the JLAP contract, his license to practice law in the Commonwealth of Virginia shall be suspended for a period of three (3) years.

1. Respondent has not complied with the Term in that he has failed to comply with his JLAP contract as provided below:

- a. Failed to maintain contact with JLAP despite numerous attempts of JLAP personnel to contact him;




- b. Failed to submit monthly reports to JLAP;
- c. Failed to attend required support groups.

See Rehabilitation and Monitoring Agreements submitted by JLAP for the months of July and August 2021, attached hereto collectively as **Exhibit B**.

WHEREFORE, the Virginia State Bar asks the Board to impose the alternate sanction of a THREE-YEAR suspension as Respondent has failed to comply with the Term of the Board in that he has failed to comply with the JLAP contract.

VIRGINIA STATE BAR

By: _____


Prescott L. Prince
Assistant Bar Counsel

Prescott L. Prince
Assistant Bar Counsel
Bar No. 23077
Virginia State Bar
1111 East Main St., Ste. 700
Richmond, VA 23219-0026
P: 804-775-9408
F: 804-775-0501

CERTIFICATE OF SERVICE

I certify that on 26 Oct 2021, I caused to be mailed by Certified Mail, Return Receipt Requested, a true and correct copy of the foregoing Petition for Show Cause Hearing to Christopher Matthew Reyes, Respondent, at PO Box 91095, Washington, DC 20090, the Respondent's last address of record with the Virginia State Bar.



Prescott L. Prince
Assistant Bar Counsel

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTERS OF
CHRISTOPHER MATTHEW REYES**

**VS B Docket Nos. 20-060-117977
20-060-118002
20-060-118536
20-060-118632
20-060-118917**

MEMORANDUM ORDER OF SUSPENSION

THIS MATTER came to be heard on April 23, 2021, on the Subcommittee Determination for Certification by the Sixth District Subcommittee of the Virginia State Bar, before a panel of the Virginia State Bar Disciplinary Board (“Board”) consisting of Carolyn V. Grady, 1st Vice Chair; Sandra L. Havrilak; Tony Pham; Alexander Simon; and Nancy L. Bloom, Lay Member. The Virginia State Bar (the “VSB”) was represented by Assistant Bar Counsel Prescott L. Prince (“Assistant Bar Counsel”). The Respondent Christopher Matthew Reyes (hereinafter “Respondent”) was present and was represented by Bernard J. DiMuro, Esquire, DiMuroGinsberg PC, 1101 King Street, Suite 610, Alexandria, Virginia 22314, (703) 684-4333. Beverly S. Lukowsky, court reporter, Chandler and Halasz, Inc., P.O. Box 9349, Richmond, Virginia 23227, (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

At the onset of the hearing, the Chair stated the following: On March 12, 2020, the Governor of Virginia declared a state of emergency regarding the novel coronavirus (COVID-19) pursuant to Executive Order 51. The state of emergency has been in place since March 12, 2020 and continues indefinitely, until revised or lifted by the Governor. Therefore, because COVID-19 has rendered it unsafe for public bodies to assemble in person, the Virginia State Bar Disciplinary Board is meeting via teleconference, with access provided to the public to observe. In addition, the meeting will be recorded, will be available for viewing on the Virginia State

**VS B Exhibit
A**

Bar's website, and it will otherwise comply with Virginia's Freedom of Information Act regarding electronic meetings, found in the Virginia Code, Section 2.2-3708.2, as supplemented by Section 4-0.01.g of Virginia House Bill 29, Chapter 1283 (2020).

At the outset of the hearing, the Chair polled the members of the panel as to whether any of them was aware of any personal or financial interest or bias which would preclude any of them from fairly hearing this matter and serving on the panel, to which inquiry each member responded in the negative.

All legal notices of the date and place were timely sent by the Clerk of the Disciplinary System ("Clerk") in the manner prescribed by Part Six, Section IV, Paragraph 13-18 of the Rules of the Supreme Court of Virginia.

On April 12, 2021, pursuant to the prehearing conference call conducted in these matters, Carolyn V. Grady, 1st Vice Chair, entered a Prehearing Conference Call Order, reflecting that the VSB timely filed witness and exhibit lists, that there were no objections filed by the Respondent to the VSB's witness and exhibit list, and that the VSB exhibits would be admitted into evidence at the hearing.

On April 16, 2021, Assistant Bar Counsel and Respondent jointly filed a Stipulation of Facts and Violation of Rules with the VSB Clerk's Office. The Chair and the Board accepted the Stipulation of Facts and Violation of the Rules, and it is attached hereto and incorporated herein.

Pursuant to the Prehearing Conference Call Order, VSB Exhibits 1-47 were admitted into evidence by the Chair, without objection from the Respondent. All of the factual findings made by the Board were found to have been proven by clear and convincing evidence.

MISCONDUCT

Respondent was an attorney licensed to practice law in the Commonwealth of Virginia at all times relevant to the conduct set forth herein. Based upon the evidence presented, including

the Certification received into evidence as Exhibit 1 and the Stipulation attached hereto and incorporated herein, and for the reasons more particularly set forth herein below, the Board finds, by clear and convincing evidence, that Respondent's conduct, as set forth herein, constitutes misconduct in violation of Rules 1.2(a), 1.3(a), 1.3(b), 1.4(a), 1.4(b), 1.16(d), 8.1(c), and 8.1(d).

Rule 1.2

The Board finds by clear and convincing evidence that the Respondent took actions in violation of Rule 1.2(a) in VSB Docket No. 117977 (hereinafter "the White Case"), VSB Docket No. 118002 (hereinafter "the Keesecker Case"), VSB Docket No. 118917 (hereinafter "the Chohan and Burrows Case"), and VSB Docket No. 118632 (hereinafter "the Brown Case").

Rule 1.2 requires a lawyer to abide by a client's decisions regarding the objectives of the representation and to consult with the client with respect to the means by which those objectives are pursued. In the White Case, the Stafford Circuit Court appointed Respondent to represent Alonzo Devon White (hereinafter "White") with regard to certain felony charges, and Respondent was also appointed as appellate counsel for White regarding said charges. Respondent failed to timely file the Notice of Appeal; and, as a result, the Court of Appeals dismissed the appeal on August 20, 2018 due to procedural default.

Likewise, in the Keesecker Case, Respondent was appointed by the Stafford Circuit Court as appellate counsel to represent Michael A. Keesecker (hereinafter "Keesecker") on charges of which Keesecker had previously been convicted. However, Respondent failed to timely file the Petition for Appeal, resulting in Keesecker's appeal being dismissed due to procedural default.

In the Chohan and Burrows Case, the Court of Appeals notified the Virginia State Bar that, in two separate underlying cases, Respondent's actions resulted in his client's appeal being dismissed due to procedural defaults. Respondent was appointed by the Fredericksburg Circuit

Court to represent Adrian Latif Chohan (hereinafter “Chohan”) on felony charges; and, following Chohan’s conviction, Respondent was appointed as appellate counsel for Chohan. Although Respondent filed a Notice of Appeal, he failed to file a Petition for Appeal; and, on October 8, 2019, Chohan’s appeal was dismissed. The Fredericksburg Circuit Court also appointed Respondent to represent James Jacob Burrows as appellate counsel for felony charges of which Burrows had previously been convicted. Respondent again filed a Notice of Appeal but failed to file a Petition for Appeal, resulting in the appeal being dismissed on October 8, 2019.

Finally, in the Brown Case, the Fredericksburg Circuit Court appointed Respondent to represent James L. Brown (hereinafter “Brown”) as appellate counsel for felony charges of which Brown had previously been convicted. Although Respondent timely filed the Notice and Petition for Appeal, he failed to communicate with Brown prior to the filing of the Petition regarding Brown’s concerns that additional issues should have been addressed on appeal. Brown’s appeal was subsequently denied. When the appeal was denied, Respondent failed to notify Brown of the same and failed to appeal the matter to the Supreme Court of Virginia despite the Standards of Practice for Indigent Defense Counsel providing that, unless otherwise directed by the client, court-appointed counsel for an indigent defendant must continue the appeal of a criminal conviction to the Supreme Court of Virginia.¹

The Respondent’s failure to pursue the appeals as directed by his clients in the White Case, the Keesecker Case, the Chohan and Burrows Case, and the Brown Case; and, the Respondent’s failure to pursue Brown’s appeal to the Supreme Court of Virginia constitute a violation of Rule 1.2(a) of the *Rules of Professional Conduct*.

Rule 1.3

¹ See VSB Ex. 31.

The Board finds by clear and convincing evidence that the Respondent took actions in violation of Rules 1.3(a) and 1.3(b) in the White Case, the Keesecker Case, the Chohan and Burrows Case, and the Brown Case. Pursuant to Rule 1.3(a) and Rule 1.3(b), a lawyer must act with reasonable diligence and promptness in representing his clients and must not intentionally fail to carry out a contract of employment entered into with a client for professional services. The Respondent's failure to timely pursue the appeals in the White Case, the Keesecker Case, the Chohan and Burrows Case, and the Brown Case and his failure to take appropriate steps to correct his mistakes in each of these cases as set forth herein above constitute a violation of Rules 1.3(a) and 1.3(b) of the *Rules of Professional Conduct*.

Rule 1.4

The Board finds by clear and convincing evidence that the Respondent took actions in violation of Rule 1.4(a) in the White Case, the Keesecker Case, the Chohan and Burrows Case, the Brown Case, and VSB Docket No. 118536 (hereinafter "the Haines Case"); and, Respondent took actions in violation of Rule 1.4(b) in the White Case, the Keesecker Case, the Chohan and Burrows Case, and the Brown Case. Rule 1.4(a) requires a lawyer to keep a client reasonably informed about the status of his or her case and promptly comply with reasonable requests for information; and, Rule 1.4(b) imposes a duty upon a lawyer to explain a matter to the extent reasonably necessary to permit the client to make informed decisions.

In the White Case, there was no evidence that Respondent ever discussed with White his right to pursue an appeal of the criminal convictions, informed him of the procedural default and dismissal of the appeal, or advised him of other appellate options or remedies available to him. Likewise, in the Keesecker Case, Respondent made no effort to contact Keesecker regarding his appeal; and, in the Chohan and Burrows Case, Respondent failed to notify both Chohan and Burrows of the dismissal of their respective appeals and failed to discuss with them additional

appellate options available. In the Brown Case, when Brown's appeal was denied, Respondent failed to provide Brown with a copy of the Order of Dismissal and failed to inform him of his legal options following the dismissal. In fact, Brown only discovered that his appeal had been dismissed when he wrote to the Court of Appeals to request new counsel.

In the Haines Case, Respondent likewise failed to sufficiently communicate with his client. Stephanie Haines (hereinafter "Haines") retained Respondent in February 2020 to represent her on a charge of domestic assault in the Fauquier County Juvenile and Domestic Relations District Court. Respondent negotiated a plea that provided for dismissal of the charges if Haines complied with the terms of the court order that included a provision that Haines have no further violations of the law for a period of two years. Haines was subsequently arrested and sentenced on unrelated charges; and, in accordance with Respondent's recommendation, appealed the matter. Haines maintains that Respondent stated that he would represent her in Circuit Court; and, she made multiple attempts to contact Respondent and left messages informing him of the date of the Circuit Court hearing. Respondent claims he never agreed to represent Haines in Circuit Court; however, he never responded to Haines's numerous attempts to contact him and did not appear on the date of the hearing in Circuit Court.

The Respondent's failure in the White Case, the Keesecker Case, the Chohan and Burrows Case, and the Brown Case to provide his clients with the appellate dismissal orders and to properly inform them of their legal options constitutes violations of Rule 1.4(a) and Rule 1.4(b); and, Respondent's failure to respond to Haines's numerous messages and inform Haines that he would not represent her in Circuit Court constitutes a violation of Rule 1.4(a).

Rule 1.16

The Board finds by clear and convincing evidence that the Respondent took actions in violation of Rule 1.16(d) in the Haines Case. In accordance with Rule 1.16(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 properly handling records. Respondent's failure in the Haines Case to clearly communicate to Haines that he would not represent her in the Circuit Court hearing, despite having advised her to appeal the matter, constitutes a violation of Rule 1.16(d) of the *Rules of Professional Conduct*.

Rule 8.1

The Board finds by clear and convincing evidence that the Respondent took actions in violation of Rule 8.1(c) in the Brown Case, the Keesecker Case, and the Haines Case; and, Respondent took actions in violation of Rule 8.1(d) in the White Case, the Keesecker Case, and the Haines Case.

Rule 8.1 of the *Rules of Professional Conduct* governs disciplinary matters before the Bar and prohibits lawyers from making false statements of material fact, failing to respond to demands for information, or otherwise obstructing an investigation by a disciplinary authority. As a result of his conduct as set forth herein, numerous bar complaints were filed against the Respondent; and, the Board finds that the Respondent intentionally failed to cooperate in resolving the complaints and intentionally obstructed the investigations in violation of Rule 8.1.

In the Brown Case, Respondent was notified by the VSB of the bar complaint against him on April 24, 2020; however, the Respondent failed to timely respond to the complaint. Respondent also failed to respond to the bar complaint in the Keesecker Case and the Haines Case, despite being notified of the complaints by the VSB on February 26, 2020 and April 10, 2020, respectively. Moreover, in both of these cases, Respondent was contacted on at least three occasions by the VSB Investigator and failed to respond to the Investigator's request for a meeting. The Respondent engaged in similar behavior in the White Case, in which Respondent

was contacted and failed to respond on at least four occasions. In each case, the VSB Investigator was forced to issue a summons for the Respondent to appear for an interview, significantly delaying the investigations.

In each of these cases, Respondent was notified of his obligation to cooperate with the VSB's investigation; yet, he failed to do so. His failure to timely respond to the bar complaints in the Brown Case, the Keesecker Case, and the Haines Case constitutes a violation of Rule 8.1(c), and Respondent's failure to cooperate with the VSB Investigator's request for an interview in the White Case, the Keesecker Case, and the Haines Case constitutes a violation of Rule 8.1(d) of the *Rules of Professional Conduct*.

THE BOARD'S FINDINGS

Having received the Stipulation which admits the violations contained in the Certification and having considered the testimony and evidence presented during the hearing, the Board recessed to deliberate; and, after due deliberation, reconvened and stated its finding that the VSB had proven, by clear and convincing evidence, each of the Rule violations charged. The Board then reconvened for the sanction phase of the hearing, as addressed herein.

SANCTION PHASE OF HEARING

After the Board announced its findings by clear and convincing evidence that the Respondent had committed the Rule violations charged in the Certification, it received further evidence regarding aggravating factors applicable to the appropriate sanction for the conduct of the Respondent underlying the Rule violations. One aggravating factor was that he did not utilize the computer calendaring system run by his firm. The VSB relied upon Exhibit 48 concerning Respondent's prior disciplinary record, thereafter, resting its case.

Subsequently, the Board heard evidence regarding mitigating factors applicable to the appropriate sanction. Respondent testified on his own behalf about his law practice

progression from public defender to private practice and how he felt overwhelmed and continued to struggle with the loss of his mother. The Board also heard from his colleague, Rebecca Medina, who discussed his busy practice, and his good results for clients but also echoed that she noticed that he appeared overwhelmed. Finally, the Respondent called John Spencer, a Partner in Respondent's law firm, who both testified that Respondent is a smart, compassionate, and a good lawyer but that he was over-worked, burnt out and apparently was not utilizing the firm computer calendaring program.

DISPOSITION

At the conclusion of the evidence in the sanctions phase of this proceeding, the Board recessed to deliberate. After due deliberation and review of the foregoing findings of fact, upon review of Exhibits 1-48 presented by Assistant Bar Counsel on behalf of the VSB and upon the testimony of the witnesses, the Board reconvened and stated its finding that Respondent's violations, along with his prior disciplinary record, demonstrate a failure to uphold his duties to his clients and the profession.

Upon consideration of the evidence and the nature of the misconduct committed by Respondent, it is ORDERED, by unanimous vote of the Board, that the Respondent's license to practice law in the Commonwealth of Virginia be suspended for a period of one (1) year, effective April 23, 2021.

It is further ORDERED that Respondent shall participate in an evaluation conducted by the Judges & Lawyers Assistance Program (JLAP) within seven (7) days of the effective date of the suspension and shall implement all JLAP's recommendations. The Respondent shall enter into a written contract with JLAP for a minimum period of twenty-four (24) months and shall comply with the terms of such contract, including *inter alia*, personally meeting with JLAP and its professionals, as directed. The Respondent shall authorize JLAP (1) to provide

periodic reports to the Office of Bar Counsel stating whether the Respondent is in compliance with JLAP's contract with the Respondent, and (2) to notify the Office of Bar Counsel promptly if the Respondent fails to follow the JLAP prescribed program, or ends participation in the JLAP prescribed program sooner than the expiration of the JLAP contract. In the event the Respondent fails to comply with JLAP's contract, fails to follow the JLAP prescribed program, or ends participation in the JLAP prescribed program sooner than the expiration of the JLAP contract, his license to practice law in the Commonwealth of Virginia shall be suspended for a period of three (3) years.

It is further ORDERED that, no later than 90 days before April 23, 2022, the Respondent shall engage the services of a law office management consultant approved by the Virginia State Bar to review and make written recommendations concerning the Respondent's law practice policies, methods, systems, trust account, and procedures. The Respondent shall institute and thereafter follow with consistency any and all recommendations made to him by the law office management consultant following the law office management consultant's evaluation of the practice. The Respondent shall grant the law office management consultant access to his law practice from time to time, at the consultant's request, for purposes of ensuring that the Respondent has instituted and is complying with the law office management consultant's recommendations. Bar Counsel shall have access, by telephone conferences and/or written reports, to the law office management consultant's findings and recommendations, as well as the consultant's assessment of the Respondent's level of compliance with said recommendations. The Respondent shall be obligated to pay when due the consultant's fees and costs, including, but not limited to, the provision to Bar Counsel of information concerning this matter.

It is further ORDERED that, not later than 90 days before April 23, 2022, the Respondent shall be responsible for (1) ensuring that the law office management consultant has previously reported to Bar Counsel his or her findings and recommendations regarding the Respondent's law practice, (2) certifying to Bar Counsel that the Respondent has fully complied with the law office management consultant's findings and recommendations, and (3) providing written confirmation of the same from the law office management consultant.

It is further ORDERED that Respondent must comply with the requirements of Part 6, Section § IV, ¶ 13-29 of the *Rules of Supreme Court of Virginia*. 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. Respondent shall give such notice within fourteen (14) days of the effective date of the suspension and make such arrangements as are required herein within forty-five (45) days of the effective date of the suspension. Respondent shall also furnish proof to the Bar within sixty (60) days of the effective day 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 suspension, he shall submit an affidavit to that effect to the Clerk of the Disciplinary System at the Virginia State Bar within sixty (60) days of the effective day of the suspension. All issues concerning the adequacy of the notice and arrangements required by Paragraph 13-29 shall be determined by the Virginia State Bar Disciplinary Board, which may impose additional sanctions for failure to comply with the requirements of this subparagraph.

It is further ORDERED that pursuant to Part 6, Section, § IV, ¶ 13-9(E) of the *Rules of Supreme Court of Virginia*, the Clerk of the Disciplinary System shall assess all costs against Respondent.

It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this Order to Respondent at his address of record with the Virginia State Bar by certified mail, return receipt requested, and by regular and electronic mail, and a copy by electronic mail to Bernard J. DiMuro, Esquire, counsel for the Respondent and Prescott L. Prince, Assistant Bar Counsel.

This Order is final.

ENTERED this 17th day of May, 2021.

VIRGINIA STATE BAR DISCIPLINARY BOARD

**Carolyn V.
Grady**

Digitally signed by Carolyn
V. Grady
Date: 2021.05.17 12:10:47
-04'00'

Carolyn V. Grady, 1st Vice Chair



Rehabilitation and Monitoring Agreement Monthly Status Update

To: Carolyn Grady

From: Barbara Mardigian, LPC

Client's Name: Chris Reyes

VSB Case No: 20-060-117977

Month Covered: August 2021

Agreement Elements and Compliance Status

Requirement	Status			Explanation
	Yes	Partial	No	
Treatment				
<input checked="" type="checkbox"/> Individual	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris has attended all individual sessions with his therapist. I spoke with his therapist and he shares that he continues to work on related issues in session.
<input type="checkbox"/> Group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Outpatient	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Inpatient	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mood-Altering Substances				
<input checked="" type="checkbox"/> Abstinence	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	I have not spoken with Chris despite numerous attempts via text, call and email.
<input type="checkbox"/> Urine Screens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Psychiatric				
<input type="checkbox"/> Phys. Consult.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
<input type="checkbox"/> Medication	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Support Groups				
<input checked="" type="checkbox"/> VJLAP	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Chris has shared that he is not attending any required support groups, per his contract, as he stated he finds them not helpful.
<input type="checkbox"/> 12-Step	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Meetings				
<input checked="" type="checkbox"/> Monitor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Chris has a monitor in Northern Virginia that he has not responded to in the past 2 months. Despite attempts from his monitor.
<input type="checkbox"/> Sponsor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other				
<input type="checkbox"/> Mo. Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Chris has not been compliant with his reports since the onset of his contract.
<input type="checkbox"/> Consents Ex.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

This is a confidential VJLAP report and may not be shared with a third party without the client's consent.

<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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VJLAP Action and Recommendation

Comment on any instances of noncompliance of which VJLAP is aware; of the client's overall participation; remedial actions taken; any agreement modifications; recommendations for further action.

Chris has failed to meet the requirements of his contract despite multiple attempts and conversations with this writer. At this time I have no choice but to report him for non-compliance with his contract. The only aspect of his contract he is compliant with is his therapy sessions. He has not returned any of my calls or emails regarding the above stated issue.

Rehabilitation and Monitoring Agreement Monthly Status Update

To: Carolyn Grady
From: Barbara Mardigian, LPC
Client's Name: Chris Reyes
VSJ Case No: 20-060-117977
Month Covered: July 2021

Agreement Elements and Compliance Status

Requirement	Status			Explanation
	Yes	Partial	No	
Treatment				
<input checked="" type="checkbox"/> Individual	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris has attended all individual sessions with his therapist.
<input type="checkbox"/> Group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Outpatient	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Inpatient	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mood-Altering Substances				
<input checked="" type="checkbox"/> Abstinence	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Chris continues to report no issues with substances, currently or in the past.
<input type="checkbox"/> Urine Screens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Psychiatric				
<input type="checkbox"/> Phys. Consult.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A
<input type="checkbox"/> Medication	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Support Groups				
<input checked="" type="checkbox"/> VJLAP	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Chris has been attending VJLAP groups and is finding a group that he can connect with.
<input type="checkbox"/> 12-Step	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Meetings				
<input checked="" type="checkbox"/> Monitor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris has a monitor in Northern Virginia that he has been meeting with often.
<input type="checkbox"/> Sponsor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other				
<input type="checkbox"/> Mo. Reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Chris has not yet provided his monthly reports. I have spoken with him today and urged him to provide monthly reports in a timely manner.
<input type="checkbox"/> Consents Ex.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

This is a confidential VJLAP report and may not be shared with a third party without the client's consent.

VJLAP Action and Recommendation

Comment on any instances of noncompliance of which VJLAP is aware; of the client's overall participation; remedial actions taken; any agreement modifications; recommendations for further action.

Aside from his lack of monthly reports, there are no other current concerns. No recommendations or changes at this time.



RECEIVED
Oct 26, 2021
VIRGINIA STATE BAR
CLERK'S OFFICE

Virginia State Bar

1111 East Main Street Suite 700
Richmond, Virginia 23219-0026
Telephone: (804) 775-0500

Fax: (804) 775-0501 TDD: (804) 775-0502

October 26, 2021

CONFIDENTIAL

BY EMAIL ONLY: clerk@vsb.org

DaVida M. Davis
Clerk of the Disciplinary System
Virginia State Bar
1111 E. Main St.
Ste. 700
Richmond, VA 23219

Re: In the Matter of Christopher Matthew Reyes
VSF Docket No. 22-000-124071

Dear Ms. Davis:

I have enclosed for filing the Virginia State Bar's Notice of Show Cause Hearing on Terms Failure. I request this matter be set for hearing before the Disciplinary Board on January 22, 2022 at 9:00 a.m. at the State Corporation Commission, Courtroom A, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219.

Thank you for your assistance in this matter.

Very truly yours,

Prescott L. Prince
Assistant Bar Counsel

PLP/arj

Enclosure

cc: Christopher Matthew Reyes, Esq., Respondent (by certified mail)

Certified Article Number
9414 7266 9904 2186 6702 56
SENDER'S RECORD