

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
DAVID COLIN JONES, JR.**

VSB DOCKET NO. 19-051-114067

**MEMORANDUM ORDER - AGREED DISPOSITION
Public Reprimand with Terms**

This action came 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 Six, § IV, ¶ 13-6 (H) of the *Rules of Virginia Supreme Court* before a duly convened panel of the Board consisting of Sandra L. Havrilak, Chair, Kamala J. Lannetti, Member, Carolyn V. Grady, Member, Michael J. Sobey, Member, and Stephen A. Wannall, Lay Member. The Virginia State Bar was represented by Kathleen M. Uston, Assistant Bar Counsel. David Colin Jones, Jr. was present and was represented by counsel Timothy J. Battle, Esquire. 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 Angela N. Sidener, 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.

It appearing that the Board considered the proposed Agreed Disposition, Certification, Respondent's Answer, Respondent's Disciplinary Record, and the arguments of counsel.

Upon consideration whereof, after due deliberation, it is therefore Ordered that the Disciplinary Board accepts the Agreed Disposition and the Respondent shall receive a Public Reprimand with Terms, as set forth in the Agreed Disposition, which is attached hereto and incorporated in this Memorandum Order.

It is further Ordered that the sanction is effective January 21, 2020.

It is further Ordered that The Clerk of the Disciplinary System shall assess costs pursuant to ¶ 13-9(E) of the *Rules*.

It is further Ordered that an attested copy of this Order be mailed to the Respondent David Colin Jones, Jr., by certified mail, return receipt requested, at his last address of record with the Virginia State Bar at 10617 Jones Street, Suite 301-A, Fairfax, VA 22030, and a copy delivered electronically via email to Timothy J. Battle, Respondent's counsel, and to Kathleen M. Uston, Assistant Bar Counsel, Virginia State Bar, Suite 700, 1111 E. Main Street, Richmond, VA 23219.


Entered: January 21, 2020. [Click here to enter text.](#)

VIRGINIA STATE BAR DISCIPLINARY BOARD

**Sandra L.
Havrilak**

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Sandra L. Havrilak, Chair

A COPY TESTE:

DAVIDA M. DAVIS
CLERK OF THE DISCIPLINARY SYSTEM

VIRGINIA:

BEFORE THE DISCIPLINARY BOARD
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
DAVID COLIN JONES, JR.

VSb Docket No. 19-051-114067

AGREED DISPOSITION
(Public Reprimand 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 Kathleen Maureen Uston, Assistant Bar Counsel and David Colin Jones, Jr., Respondent, and Timothy Joseph Battle, Respondent's counsel, hereby enter into the following Agreed Disposition arising out of the referenced matter.

I. STIPULATIONS OF FACT

1. At all times relevant hereto, Respondent has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. On or around December 27, 2017, Respondent agreed to assist Chris Wallace ("Complainant") with the filing of a proof of claim in a bankruptcy matter then pending in Florida. By email dated January 22, 2018, Respondent sent Complainant a draft of the Proof of Claim for his review and approval. Complainant approved the draft Proof of Claim by return email on January 22, 2018.
3. Thereafter, on February 18, 2018, Complainant emailed Respondent to obtain an update on the filing of the Proof of Claim. Respondent did not respond to this email.
4. By email dated June 11, 2018, Complainant again sought an update on the filing of the Proof of Claim from Respondent. Respondent also failed to respond to this email message.
5. In addition to these emails seeking an update on the status of his case, Complainant also telephoned Respondent several times and received no response from him.
6. On or around November 5, 2018, Complainant filed a complaint with the Virginia State Bar (the "VSB") and in his written response to the Bar, Respondent admitted that he had "inadvertently failed to file [the Proof of Claim]" with the bankruptcy court.
7. On June 11, 2018, the proof of claim was filed on behalf of Complainant. On July 11, 2019, the Bankruptcy Trustee filed an objection to Complainant's claim on the grounds that it was for work performed pursuant to an agreement with Player's Poker Championship, LLC ("PPC") and the individual Debtor in the Bankruptcy case was not

personally liable for the debt. On August 23, 2019, the Bankruptcy Court entered an Order sustaining the Objection and disallowing Complainant's claim. Based on that ruling, Complainant suffered no financial loss as a result of Respondent's failure to file the claim.

II. NATURE OF MISCONDUCT

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

RULE 1.3 Diligence

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

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.

III. PROPOSED DISPOSITION

Accordingly, Assistant Bar Counsel and the Respondent tender to the Disciplinary Board for its approval the agreed disposition of a Public Reprimand 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. The terms with which the Respondent must comply are as follows:

1. For a period of twenty-four (24) months following the date of service of the Determination in this matter, the Respondent shall not engage in any conduct that violates the above cited provisions of the Virginia Rules of Professional Conduct, including any amendments thereto, and/or which violates any analogous provisions, and any amendments thereto, of the disciplinary rules of another jurisdiction in which the Respondent may be admitted to practice law. The terms contained in this paragraph shall be deemed to have been violated when any ruling, determination, judgment, order, or decree has been issued against the Respondent by a disciplinary tribunal in Virginia or elsewhere, containing a finding that Respondent has violated

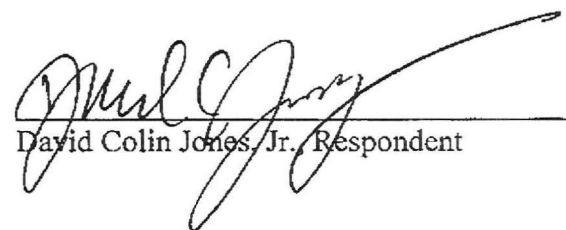
one or more provisions of the Rules of Professional Conduct referred to above,
provided, however, that the conduct upon which such finding was based occurred
within the period referred to above, and provided, further, that such ruling has become
final.

Upon satisfactory proof that such terms and conditions have been met, this matter shall be
closed. If, however, all the terms and conditions are not met by the deadlines imposed above, the
Respondent agrees that the Disciplinary Board shall impose a two (2) month suspension of the
Respondent's license to practice law 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: 
Kathleen Maureen Uston, Ass't Bar Counsel


David Colin Jones, Jr., Respondent


Timothy Joseph Battle, Respondent's Counsel