

**VIRGINIA:**

**BEFORE THE SIXTH DISTRICT COMMITTEE  
OF THE VIRGINIA STATE BAR**

**In the Matter of Joseph Albert Christian Synan  
VSB Docket No. 04-060-3682**

**SUBCOMMITTEE DETERMINATION  
(Public Admonition)**

On March 3, 2005, a duly convened subcommittee of the Sixth District Committee, consisting of lay member Andrew C. Gallagher, Russell E. Allen, Esquire, and Christopher A. Abel, Esquire, chair and presiding officer, met to consider an agreed disposition of the above-referenced matter.

Pursuant to Part Six, Section IV, Paragraph 13.G.1.c.(1) of the Rules of the Virginia Supreme Court, the Sixth District Committee accepts the proposed agreed disposition and hereby serves upon the respondent Joseph Albert Christian Synan, the following Public Admonition.

**AGREED FINDINGS OF FACT**

1. Mr. Synan, was admitted to the practice of law in the Commonwealth of Virginia on October 14, 1988.
2. During all times relevant to this proceeding, Mr. Synan was an attorney in good standing to practice law in the Commonwealth of Virginia.
3. On or about March 10, 2003, Ricky Donnell Nelson was convicted in the Circuit Court of the City of Fredericksburg of distributing cocaine.
4. On or about May 27, 2003, the Fredericksburg Circuit Court appointed Mr. Synan to represent Mr. Nelson on appeal.
5. Mr. Synan timely filed a notice of appeal to the Court of Appeals of Virginia and a petition for appeal with the Court of Appeals.

6. After the Court of Appeals denied Mr. Nelson's appeal, Mr. Synan timely filed a notice of appeal to the Supreme Court of Virginia.

7. The Supreme Court denied the appeal on February 6, 2004, because Mr. Synan failed to file the petition for appeal in a timely manner.

8. Mr. Nelson's appeal was the first appeal Mr. Synan had made to the Supreme Court, and he failed to file the petition for appeal in a timely manner because he was waiting for the Supreme Court to acknowledge that it had received the record from the Court of Appeals.

9. Mr. Nelson filed a bar complaint against Mr. Synan on or about June 24, 2004.

## **II. Agreed Findings of Misconduct**

Mr. Synan and the Virginia State Bar, by Bar Counsel, agree that the foregoing findings of fact support a finding that his conduct violated the following Rule of Professional Conduct:

### **RULE 1.1 Competence**

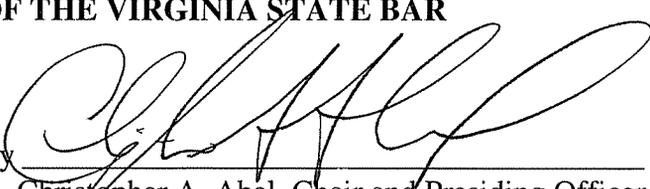
A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

## **III. Imposition of Sanction**

Accordingly, it is the decision of the Sixth District Committee to impose a Public Admonition, which shall become part of Mr. Synan's disciplinary record.

Pursuant to Part Six, Section IV, Paragraph 13.B.8.c. of the Rules of the Virginia Supreme Court, the Clerk of the Disciplinary System shall assess costs.

### **SIXTH DISTRICT COMMITTEE OF THE VIRGINIA STATE BAR**

By 

Christopher A. Abel, Chair and Presiding Officer

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 15<sup>th</sup> day of March 2005, mailed by certified mail, return receipt requested, a true and correct copy of the foregoing Subcommittee Determination (Public Admonition) to the Respondent, Joseph Albert Christian Synan, Esquire, at his last address of record with the Virginia State Bar, 101 Lafayette Boulevard, P.O. Box 8448, Fredericksburg, Virginia 22404-8448.

Barbara Ann Williams