

VIRGINIA:

BEFORE THE THIRD DISTRICT SECTION I SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
DEL M. MAUHRINE BROWN

VS B Docket No. 07-031-2688

SUBCOMMITTEE DETERMINATION
(PUBLIC ADMONITION WITHOUT TERMS)

On March 21, 2008 a meeting in this matter was held before a duly convened Third District Section I Subcommittee consisting of Graham C. Daniels, Chair, Stephanie E. Grana, Esquire and William Manns, lay person to consider this matter and to accept an Agreed Disposition tendered by Respondent and Paulo E. Franco, Jr., Assistant Bar Counsel

Pursuant to Part 6, Section IV, Paragraph 13.G.1.d.1. of the Rules of the Virginia Supreme Court, the Third District Section I Subcommittee of the Virginia State Bar hereby serves upon the Respondent the following PUBLIC Admonition Without Terms:

I. FINDINGS OF FACT

1. At all times relevant hereto, Del M. Mauhrine Brown ("Respondent"), has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. Respondent has been active and in good standing with the Virginia State Bar since October 15, 1993.
3. The Virginia State Bar received information that Respondent was counsel of record in three cases before the Supreme Court of Virginia that were dismissed for failure to properly file notices of appeal.
4. Respondent was counsel of record in the case of Michael Foreman v. Commonwealth of Virginia, Supreme Court of Virginia Record No. 042446 ("Foreman Appeal").
5. The Virginia Supreme Court dismissed the Foreman Appeal on December 17, 2004 due to Respondent's failure to file a notice of appeal in the Court of appeals pursuant to Rule 5:14(a) of the Rules of the Supreme Court of Virginia.

6. Respondent was counsel of record in the case of Darrius T. Saunders v. Commonwealth of Virginia, Supreme Court of Virginia Record No. 042662 (“Saunders Appeal”).

7. The Virginia Supreme Court dismissed the Saunders Appeal on December 27, 2004 due to Respondent’s failure to file a notice of appeal in the Court of appeals pursuant to Rule 5:14(a) of the Rules of the Supreme Court of Virginia.

8. Respondent was counsel of record in the case of Michael L. Williams v. Commonwealth of Virginia, Supreme Court of Virginia Record No. 061644 (“Williams Appeal”).

9. The Virginia Supreme Court dismissed the Foreman Appeal on September 20, 2006 due to Respondent’s failure to file a notice of appeal in the Court of appeals pursuant to Rule 5:14(a) of the Rules of the Supreme Court of Virginia.

II. NATURE OF MISCONDUCT

Such conduct by Del M. Mauhrine Brown constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3

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

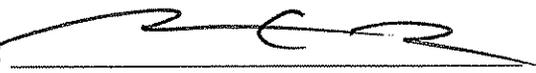
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III. PUBLIC ADMONITION WITHOUT TERMS

Accordingly, it is the decision of the subcommittee to impose a PUBLIC Admonition Without Terms and Del M. Mauhrine Brown is hereby so admonished.

Pursuant to Paragraph 13.B.8.c. of the Rules of Court, the Clerk of the Disciplinary System shall assess costs.

THIRD DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

By: 

Graham C. Daniels, Chair

CERTIFICATE OF MAILING

I certify that on this 12th day of June, 2008, I caused to be mailed by Certified Mail, Return Receipt Requested, a true and complete copy of the Subcommittee Determination (PUBLIC Admonition Without Terms) to Del M. Mauhrine Brown, Respondent, at P.O. Box 1506, Prince George, VA 23875, Respondent's last address of record with the Virginia State Bar.



Paulo E. Franco, Jr.
Assistant Bar Counsel