



5. Respondent timely appealed the conviction and sentence to the Court of Appeals of Virginia.
6. By unpublished opinion dated August 8, 2008, the Court of Appeals of Virginia affirmed Mr. Blount's convictions and denied his appeal.
7. Mr. Blount requested that Respondent appeal to the Supreme Court of Virginia.
8. Respondent did not properly perfect Mr. Blount's appeal to the Supreme Court of Virginia. While he timely filed the Petition for Appeal with the Supreme Court of Virginia, he did not timely file the Notice of Appeal with the Supreme Court of Virginia. Respondent asserts that he sent the Notice of Appeal to the Supreme Court of Virginia via first class mail, instead of certified mail, thus causing the delay.
9. Within days of the September 8, 2008, filing deadline, Respondent asserts he called the Clerk of the Supreme Court of Virginia to determine how to correct the late filing of the Notice of Appeal.
10. By order dated October 28, 2008, the Supreme Court of Virginia dismissed Mr. Blount's Petition for Appeal because Respondent did not properly perfect the appeal.
11. On or about November 7, 2008, Respondent filed a Motion for Delayed Appeal in the Supreme Court of Virginia on Mr. Blount's behalf.
12. By order dated December 3, 2008, the Supreme Court of Virginia granted the Motion for Delayed Appeal.
13. Replacement counsel John W. Parsons, Esq., was appointed to handle Mr. Blount's appeal.
14. On January 20, 2009, Mr. Parsons filed the Notice of Appeal and Petition for Appeal on Ms. Blount's behalf in the Supreme Court of Virginia.
15. By order dated July 8, 2009, the Supreme Court of Virginia denied the Petition for Appeal.

**VSB DOCKET NO. 10-032-083196 (VIRGINIA STATE BAR-BROOKS)**

16. On May 29, 2008, Gary F. Brooks was convicted of two counts of prescription fraud. Respondent represented Mr. Brooks in his criminal trial.
17. On July 24, 2008, Mr. Brooks was sentenced for the crimes.
18. Mr. Brooks requested Respondent appeal his conviction and sentence.
19. Respondent timely appealed the conviction and sentence to the Court of Appeals of Virginia.

20. By unpublished opinion dated March 25, 2009, the Court of Appeals of Virginia affirmed Mr. Brooks' convictions and denied his appeal.
21. Mr. Brooks sought to appeal to the Supreme Court of Virginia.
22. Respondent did not properly perfect Mr. Brooks's appeal to the Supreme Court of Virginia. Respondent filed the Petition with the Supreme Court of Virginia on May 4, 2009, instead of on or before April 24, 2009. Respondent asserts he miscalculated the deadline to file the Petition for Appeal.
23. On or about May 7, 2009, Respondent filed a Motion for Delayed Appeal in the Supreme Court of Virginia on Mr. Brooks's behalf.
24. By unpublished order dated June 11, 2009, the Supreme Court of Virginia granted the Motion for Delayed Appeal.
25. On July 15, 2009, Respondent filed a Notice of Appeal and Petition for Appeal on Ms. Blount's behalf in the Supreme Court of Virginia.
26. By order dated December 4, 2009, the Supreme Court of Virginia denied the Petition for Appeal.

**VSb DOCKET NO. 10-032-084358 (VIRGINIA STATE BAR-MAYER)**

27. On August 25, 2009, Steve Alan Mayer was convicted of one count of aggravated malicious wounding. Respondent was appointed to and did represent Mr. Mayer in his trial.
28. On January 5, 2010, Mr. Mayer was sentenced for the crime, and final judgment was entered.
29. Mr. Mayer requested Respondent appeal his conviction and sentence.
30. Respondent did not timely file the Petition for Appeal with the Court of Appeals of Virginia.
31. By order dated May 14, 2010, the Court of Appeals of Virginia dismissed Mr. Mayer's appeal because the Petition for Appeal was not timely filed.
32. Respondent filed a Motion for Delayed Appeal, which was granted by Order of the Supreme Court of Virginia dated June 22, 2010.
33. By order of the Henrico County Circuit Court dated September 29, 2010, replacement counsel, John W. Parsons, Esq., was appointed to represent Mr. Mayer in his appeal.
34. On October 27, 2010, Mr. Parsons noted Mr. Mayer's appeal with the Court of Appeals of Virginia.

35. By order dated April 27, 2011, the Court of Appeals of Virginia denied the Petition for Appeal.
36. Mr. Parsons noted an appeal on Mr. Mayer's behalf to the Supreme Court of Virginia, and Mr. Parsons filed a Petition for Appeal with the Supreme Court of Virginia. The Petition for Appeal was received by the Supreme Court of Virginia on May 27, 2011.
37. As of August 15, 2011, the appeal is still pending before the Supreme Court of Virginia.

**VSB DOCKET NOS. 10-032-082580 (VIRGINIA STATE BAR-TRUONG)**  
**AND 10-032-083635 (TRUONG)**

38. On July 20, 2009, the Circuit Court for the City of Richmond entered final judgment convicting Tuan Truong of one count of trespassing. Respondent did not represent Mr. Truong in his criminal trial.
39. Respondent was appointed to represent Mr. Truong in his appeal of the conviction.
40. On July 16, 2009, Respondent noted Mr. Truong's appeal with the Court of Appeals of Virginia.
41. Respondent failed to timely request the trial transcripts and thus failed to timely file the transcripts with the Court of Appeals of Virginia.
42. On October 9, 2009, Respondent filed a Motion for Delayed Appeal on Mr. Truong's behalf.
43. By order dated October 16, 2009, the Court of Appeals of Virginia dismissed as untimely the Motion for Delayed Appeal. By letter dated October 14, 2009, from the Clerk of the Court of Appeals of Virginia, Respondent was advised that his Motion for Delayed Appeal was premature because it was filed prior to dismissal of the appeal.
44. By order dated December 7, 2009, the Court of Appeals of Virginia dismissed Mr. Truong's appeal based on Respondent's failure to file the Petition for Appeal. Respondent was unable to prepare the Petition for Appeal because he had not timely requested the trial transcript.
45. After the December 7, 2009, Order dismissing the appeal, Respondent filed a second, timely Motion for Delayed Appeal.
46. By order dated March 29, 2010, the Court of Appeals of Virginia granted the second Motion for Delayed Appeal, and the Court of Appeals of Virginia ordered the Circuit Court of the City of Richmond to appoint counsel to represent Mr. Truong in his appeal.

47. By order dated April 2, 2010, John A. Parsons, Esq., was appointed to represent Mr. Truong in his appeal.
48. On April 8, 2010, Mr. Parsons noted Mr. Truong's appeal to the Supreme Court of Virginia, and he subsequently filed the Petition for Appeal with the Supreme Court of Virginia. By order dated March 25, 2011, the Supreme Court of Virginia refused Mr. Truong's appeal.

**VSB DOCKET NO. 10-032-082580 (VIRGINIA STATE BAR-SULLIVAN)**

49. On June 22, 2009, the Circuit Court for the City of Petersburg entered final judgment convicting Joan Marie Sullivan of a misdemeanor, one count of indecent language. The trial court imposed a \$100.00 fine on Ms. Sullivan. Respondent represented Ms. Sullivan in her criminal trial.
50. Ms. Sullivan requested Respondent appeal the conviction and sentence.
51. On July 2, 2009, Respondent noted Ms. Sullivan's appeal with the Court of Appeals of Virginia.
52. Respondent failed to timely file the Petition for Appeal with the Court of Appeals of Virginia.
53. Upon realizing he would not timely file the Petition for Appeal, Respondent filed a Motion for Delayed Appeal, which was dismissed as premature, as the appeal was still pending at the time Respondent filed the Motion for Delayed Appeal.
54. By order dated December 30, 2009, the Court of Appeals of Virginia dismissed Mr. Sullivan's appeal for failure to file a Petition for Appeal.
55. After the December 20, 2009, Order dismissing the appeal, Respondent filed a second, timely Motion for Delayed Appeal with the Court of Appeals of Virginia.
56. By order dated March 29, 2010, the Court of Appeals of Virginia granted the second Motion for Delayed Appeal.
57. By order entered June 7, 2010, the Circuit Court of the City of Petersburg appointed Respondent to represent Ms. Sullivan in all appellate matters.
58. On July 6, 2010, Respondent noted Ms. Sullivan's appeal with the Court of Appeals of Virginia.
59. On September 21, 2010, Respondent filed the Petition for Appeal with the Court of Appeals of Virginia.
60. By order entered December 21, 2010, the Court of Appeals of Virginia denied Ms. Sullivan's appeal.

61. Respondent subsequently timely noted an appeal on Ms. Sullivan's behalf with the Supreme Court of Virginia.
62. On January 24, 2011, Respondent filed the Petition for Appeal with the Supreme Court of Virginia.
63. By order dated March 17, 2011, the Supreme Court of Virginia refused Ms. Sullivan's appeal.

**VSB DOCKET NO. 10-032-082580 (VIRGINIA STATE BAR-BILAL)**

64. After a trial June 30, 2009, and by Order entered July 15, 2009, the Circuit Court for the City of Richmond entered final judgment convicting and sentencing Salahuddin Nassar Bilal of and for one count of grand larceny and one count of destruction of property. Respondent was Mr. Bilal's court appointed counsel and represented Mr. Bilal at his trial.
65. Mr. Bilal requested Respondent appeal the conviction and sentence.
66. On July 8, 2009, Respondent timely noted Mr. Bilal's appeal with the Court of Appeals of Virginia.
67. Respondent failed to timely request the trial transcript and thus failed to timely file the transcript with the Court of Appeals of Virginia. Because Respondent did not have the transcript, he did not timely file the Petition for Appeal with the Court of Appeals of Virginia.
68. On November 20, 2009, Respondent filed the transcript with the Court of Appeals of Virginia.
69. In November 2009, Respondent attempted to file a Motion for Delayed Appeal on Mr. Bilal's behalf. By letter dated November 24, 2009, the Clerk of the Court of Appeals of Virginia advised Respondent that his Motion was premature unless and until the pending appeal was dismissed by the Court of Appeals of Virginia.
70. By order dated December 7, 2009, the Court of Appeals of Virginia dismissed Mr. Bilal's appeal because of the failure to file the Petition for Appeal.
71. On February 12, 2010, Respondent filed a Motion for Delayed Appeal with the Court of Appeals of Virginia.
72. By letter dated February 12, 2010, to Respondent, the Clerk of the Court of Appeals of Virginia advised Respondent that his Motion for Delayed Appeal and Affidavit in Support did not address the grounds on which the appeal was dismissed.

73. On March 15, 2010, Respondent filed an Amended Motion for Delayed Appeal and Affidavit in Support in which Respondent addressed the grounds on which the appeal was dismissed.
74. By Order dated March 29, 2010, the Court of Appeals of Virginia granted Mr. Bilal leave to file a delayed appeal.
75. By Order dated April 2, 2010, Respondent was appointed to represent Mr. Bilal in his appeal.
76. On April 15, 2010, Respondent filed a Replacement Notice of Appeal.
77. On April 15, 2010, Respondent filed a Notice of Filing of Transcript noting that the trial transcript was filed November 20, 2009, in the trial court.
78. On August 11, 2010, Respondent filed the Petition for Appeal on Mr. Bilal's behalf with the Court of Appeals of Virginia.
79. By order dated October 6, 2010, the Court of Appeals of Virginia denied Mr. Bilal's appeal.
80. On November 8, 2010, Respondent timely filed a Petition for Appeal on Mr. Bilal's behalf with the Supreme Court of Virginia.
81. By order dated March 15, 2011, the Supreme Court of Virginia denied the appeal.

#### **FACTS RELEVANT TO ALL MATTERS**

82. As of August 2010 and thereafter, Respondent has instituted several procedures to ensure that appellate deadlines are met. Respondent meets weekly with his staff to ensure monitoring of the status of all cases he handles on the Court of Appeals of Virginia website. He keeps track of deadlines for appeals on a separate board as well as on his paper calendar, and he uses a computer database to record appellate deadlines. Respondent calculates all deadlines, which he reviews with a staff member.

#### **II. NATURE OF MISCONDUCT**

Such conduct by James Anthony Bullard, Jr. constitutes misconduct in violation of the following provision of the Rules of Professional Conduct:

##### **RULE 1.3     Diligence**

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

### III. PUBLIC REPRIMAND WITH TERMS

Accordingly, it is the decision of this subcommittee of the Third District Committee, Section II to offer the Respondent an opportunity to comply with certain terms and conditions, compliance with which will be a predicate for the disposition of a Public Reprimand with Terms of these complaints. The term and condition is:

1. For a period of two years following this Subcommittee Determination, Respondent shall not engage in any conduct that violates Rule 1.3(a) of the 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 to which Respondent may be admitted to practice law. This term shall be deemed violated when any ruling, determination, judgment, order, or decree has been issued against Respondent by a disciplinary tribunal in Virginia or elsewhere, containing a finding that Respondent has violated Rules 1.3(a) provided that the conduct upon which such finding was based occurred within the period referred to and that such ruling has become final.

Upon satisfactory proof that such terms and conditions have been met, this matter shall be closed. If the terms and conditions are not met by the specified dates, then, pursuant to Rules of Court, Part Six, Section IV, Paragraphs 13-15.F and G, Assistant Bar Counsel shall serve notice requiring Respondent to show cause why the alternative disposition of a ninety day suspension should not be imposed. Pursuant to Part Six, Section IV, Paragraph 13-9.E. of the Rules of Court, the Clerk of the Disciplinary System shall assess costs.

THIRD DISTRICT SUBCOMMITTEE,  
SECTION II  
OF THE VIRGINIA STATE BAR

By Alana M. Ritenour  
Alana M. Ritenour, Esq.,  
Chair

**CERTIFICATE OF SERVICE**

I certify that on September 15, 2011, I mailed by certified mail a true and correct copy of the Amended Subcommittee Determination (Public Reprimand with Terms) to James Anthony Bullard, Jr., Esquire, Respondent, at James A. Bullard, Jr., P.C., 2916 Chamberlayne Avenue, Richmond, VA 23222, Respondent's last address of record with the Virginia State Bar.



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Renu M. Brennan, Esq.  
Assistant Bar Counsel