

VIRGINIA:

BEFORE THE NINTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTERS OF
GREGORY THOMAS CASKER

VS B Docket Nos. 10-090-082948, 10-090-083386, and 10-090-083225

SUBCOMMITTEE DETERMINATION
(PUBLIC REPRIMAND WITHOUT TERMS)

On January 27, 2011 a hearing in this matter was held before a duly convened Ninth District Subcommittee consisting of Esther S. McGuinn, Esq., Attorney Member, Thomas W. Seaman, Lay Member, and Robert H. Morrison, Esq., presiding as Chair.

Pursuant to Part 6, Section IV, Paragraph 13-15.E. of the Rules of the Virginia Supreme Court, the Ninth District Subcommittee of the Virginia State Bar hereby serves upon the Respondent the following PUBLIC Reprimand Without Terms:

I. STIPULATIONS OF FACT

1. At all relevant times, Respondent, Gregory Thomas Casker, was a duly licensed attorney in Virginia.

As to VSB Docket No. 10-090-082948

2. The Court appointed Respondent to file an appeal on behalf of the client.
3. Respondent filed an appeal in the Virginia Court of Appeals and the Court denied the appeal.
4. Respondent did not inform the client that the Court of Appeals had denied the appeal.
5. Respondent did not timely file an appeal to the Virginia Supreme Court.

6. Respondent did not inform the client that in his legal opinion an appeal to the Virginia Supreme Court was not warranted under the facts of the case.
7. Respondent did not respond to reasonable inquires from his client regarding the status of the appeals.

II. NATURE OF MISCONDUCT

Such conduct by Gregory Thomas Casker 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. STIPULATIONS OF FACT

As to VSB Docket No. 10-090-083386

8. Complainant hired the Respondent to prosecute a case against a timber company for trespass and the unauthorized taking of timber from his property.
9. Complainant paid the Respondent an advanced legal fee of \$500.00 for his legal services.
10. Respondent did not actively prosecute the case on behalf of Complainant.
11. Respondent did not respond to reasonable inquiries from Complainant regarding the status of the case.

12. After Complainant filed this instant bar complaint, Respondent refunded the \$500.00 to Complainant and returned his file.

IV. NATURE OF MISCONDUCT

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.

V. STIPULATIONS OF FACT

As to VSB Docket No. 10-090-083225

13. The Court appointed Respondent to file an appeal on behalf of the client.
14. Respondent filed an appeal in the Virginia Court of Appeals and the Court denied the appeal.
15. Respondent did not inform the client that the Court of Appeals had denied the appeal.
16. Respondent did not timely file an appeal to the Virginia Supreme Court.
17. Respondent did not inform the client that in his legal opinion an appeal to the Virginia Supreme Court was not warranted under the facts of the case.
18. Respondent did not respond to reasonable inquires from his client regarding the status of the appeals.

VI. NATURE OF MISCONDUCT

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.

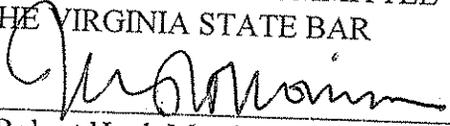
VII. PUBLIC REPRIMAND WITHOUT TERMS

Accordingly, it is the decision of the subcommittee to impose a PUBLIC Reprimand Without Terms and the Respondent is hereby so reprimanded.

Pursuant to Paragraph 13-9.E. the Clerk of the Disciplinary System shall assess costs.

NINTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

By


Robert Hugh Morrison, Esq.
Subcommittee Chair

CERTIFICATE OF SERVICE

I certify that on the 3rd day of February, 2011, I caused to be mailed by Certified Mail, Return Receipt Requested, a true and correct copy of the Subcommittee Determination (PUBLIC Reprimand Without Terms) to Gregory Thomas Casker, Esquire, Respondent, at, P.O. Box 1095, Chatham, VA 24531, his last address of record with the Virginia State Bar.

