

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

*Kelly Ralston Dennis
Attorney at Law*

VSF Docket Nos. 13-051-095075 and 14-041-099075

On August 11, 2014, came Kelly Ralston Dennis and presented to the Board an Affidavit Declaring Consent to Revocation of his license to practice law in the courts of this Commonwealth. By tendering his Consent to Revocation at a time when disciplinary charges are pending, he acknowledges that the material facts in the attached Affidavit Declaring Consent to Revocation and Certifications upon which the allegations of misconduct are predicated are true.

The Board having considered the said Affidavit Declaring Consent to Revocation, and Bar Counsel having no objection, the Board accepts his Consent to Revocation. Accordingly, it is ordered that the license to practice law in the courts of this Commonwealth heretofore issued to the said Kelly Ralston Dennis be and the same hereby is revoked, effective September 1, 2014, and that the name of the said Kelly Ralston Dennis be stricken from the Roll of Attorneys of this Commonwealth.

It is also ordered that Kelly Ralston Dennis shall not take any new cases through September 1, 2014,

Entered this 12th day of August, 2014

For the Virginia State Bar Disciplinary Board

*By Barbara S. Lanier
Barbara Sayers Lanier, Clerk of the Disciplinary System*

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTERS OF
KELLY RALSTON DENNIS**

VSB Docket Nos. 14-041-099075 and 13-051-095075

AFFIDAVIT DECLARING CONSENT TO REVOCATION

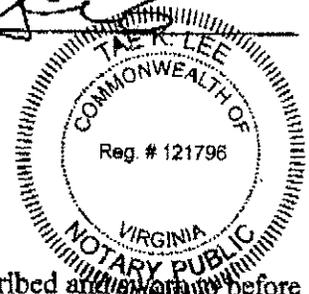
Kelly Ralston Dennis, after being duly sworn, states as follows:

1. That Kelly Ralston Dennis was licensed to practice law in the Commonwealth of Virginia on 05/23/1979;
2. That Kelly Ralston Dennis submits this Affidavit Declaring Consent to Revocation pursuant to Rule of Court, Part 6, Section IV, Paragraph 13-28.
3. That Kelly Ralston Dennis's consent to revocation is freely and voluntarily rendered, that Kelly Ralston Dennis is not being subjected to coercion or duress, and that Kelly Ralston Dennis is fully aware of the implications of consenting to the revocation of his license to practice law in the Commonwealth of Virginia;
4. Kelly Ralston Dennis is aware that there are currently pending Docket Nos. 14-041-099075 and 13-051-095075 set for hearing before the Virginia State Bar Disciplinary Board, the specific nature of which are set forth in the Certifications attached hereto as Exhibits A and B.
5. Kelly Ralston Dennis acknowledges that the material facts upon which the allegations of misconduct are predicated are true; and
6. Kelly Ralston Dennis submits this Affidavit and consents to the revocation of his

license to practice law in the Commonwealth of Virginia because he knows that if the disciplinary proceedings based on the said alleged misconduct were brought or prosecuted to a conclusion, he could not successfully defend them.

Executed and dated on 8/8/14

[Signature]
Kelly Ralston Dennis
Respondent



COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Fairfax, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by Kelly Ralston Dennis on AUGUST 8, 2014

[Signature]
Notary Public

My Commission expires: 1-31-2015

RECEIVED

JUN 12 2014

VIRGINIA:

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

VSB CLERK'S OFFICE

IN THE MATTER OF
KELLY RALSTON DENNIS, ESQUIRE

VSB Docket No. 13-051-095075

SUBCOMMITTEE DETERMINATION
(CERTIFICATION)

On January 08, 2014, a meeting in this matter was held before a duly convened Fifth District Subcommittee, Section I, consisting of Maureen E. Danker, Esquire, Carl S. Person, Lay Member, and Nancy J. Crawford, Esquire, presiding. Pursuant to Part 6, § IV, ¶13-15.B.3 of the Rules of the Supreme Court of Virginia, the Fifth District Section I Subcommittee of the Virginia State Bar hereby serves upon Kelly Ralston Dennis, ("Respondent") the following Certification:

I. FINDINGS OF FACT

1. At all times relevant hereto, Kelly Ralston Dennis (hereinafter "Respondent") has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. On or around March 12, 2013, the Virginia State Bar was notified that Respondent had failed to appear in the York County General District Court on January 22, 2013, and again on February 5, 2013. The Complainant in this matter is the General District Court judge before whom Respondent was scheduled to appear.
3. Complainant advised the bar that the underlying case, which involved a charge of Reckless Driving by Speed, was originally scheduled to be heard on December 18, 2012. On that date, Respondent telephoned the Clerk's Office to request a continuance of the case since he had just been retained. This request was granted, and Respondent and the clerk with whom he spoke, Ms. Melanie Stephens, discussed a new court date. Ms. Stephens offered the date of

January 22, 2013, and Respondent confirmed that he was available on that date. Respondent also advised Ms. Stephens that he would follow up with the court through submission of a Praecipe.

4. On January 22, 2013, neither Respondent nor his client appeared in Complainant's courtroom. Ms. Stephens was directed by Complainant to telephone Respondent to inquire as to his whereabouts and when she reached Respondent he stated that his client "must be playing games." Respondent stated that he had spoken to his client the evening before and had advised him that he was to appear in court in York County the following morning. Respondent stated further that he would enter a Praecipe with the court once he completed his then pending case in Juvenile and Domestic Relations Court, without specifying in which J&DR court he was then appearing.

5. Ms. Stephens and Respondent then discussed a new court date and Respondent confirmed that he was available on February 5, 2013, at 10:30 a.m. The case was thus continued to that date.

6. On February 5, 2013, neither Respondent nor his client appeared in Complainant's courtroom. At that time, Complainant tried Respondent's client in *absentia*, imposing a fine of \$250.00 and a thirty (30) day loss of license. Complainant directed Ms. Stephens to contact Respondent yet again to inquire as to why he was not in court and to instruct him to send a written explanation to the court as to why this had occurred, to be received no later than Friday of that week.

7. On February 6, 2013, Ms. Stephens called Respondent and, according to Ms. Stephens' notes he stated, "Oh Melanie, I forgot to send you that paperwork. When is that case again?" In response, Ms. Stephens advised Respondent that the matter had been heard the day before, and that Complainant required that he submit a written explanation as to his failure to appear on or

before Friday, February 8, 2013. Respondent requested Ms. Stephens' fax number, but never submitted his written explanation for his non-appearance.

8. Under cover of a letter dated April 3, 2013, a copy of Complainant's complaint was sent to Respondent at his address of record with the Virginia State Bar with a demand that he provide a written response thereto within twenty-one (21) days of that letter, which is his obligation under the Rules of Professional Conduct. Respondent failed to provide any response to the complaint, in violation of his duty to do so.

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 1.16 Declining Or Terminating Representation

(a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

(1) the representation will result in violation of the Rules of Professional Conduct or other law[.]

RULE 3.4 Fairness To Opposing Party And Counsel

A lawyer shall not:

(g) Intentionally or habitually violate any established rule of procedure or of evidence, where such conduct is disruptive of the proceedings.

RULE 3.5 Impartiality And Decorum Of The Tribunal

(f) A lawyer shall not engage in conduct intended to disrupt a tribunal.

RULE 4.1 Truthfulness In Statements To Others

In the course of representing a client a lawyer shall not knowingly:

- (a) make a false statement of fact or law[.]

RULE 8.1 Bar Admission And Disciplinary Matters

An applicant for admission to the bar, or a lawyer already admitted to the bar, in connection with a bar admission application, any certification required to be filed as a condition of maintaining or renewing a license to practice law, or in connection with a disciplinary matter, shall not:

- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6[.]

III. CERTIFICATION

Accordingly, it is the decision of the Subcommittee to certify the above matters to the Virginia State Bar Disciplinary Board.

FIFTH DISTRICT SUBCOMMITTEE
SECTION I
OF THE VIRGINIA STATE BAR

By Nancy Jane Crawford
Nancy Jane Crawford
Vice Chair of the Committee
Subcommittee Chair

CERTIFICATE OF SERVICE

I certify that on the 11th day of June, 2014, I mailed by certified mail a true and correct copy of the foregoing Subcommittee Determination (Certification) to Kelly Ralston Dennis, Esquire, Respondent, at Suite 200, 6718 Whittier Avenue, McLean, VA 22101, Respondent's last address of record with the Virginia State Bar.

Kathleen Maureen Uston
Kathleen Maureen Uston

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VIRGINIA:

JUL 8 2014

**BEFORE THE FOURTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR**

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**IN THE MATTER OF
KELLY RALSTON DENNIS**

VS B Docket No. 14-041-099075

**SUBCOMMITTEE DETERMINATION
(CERTIFICATION)**

On June 11, 2014, a meeting in this matter was held before a duly convened Fourth District Subcommittee consisting of Robert C. McCarthy, Lay Member, Paul H. Melnick, Member, and Elizabeth L. Tuomey, Subcommittee Chair presiding. Pursuant to Part 6, § IV, ¶ 13-15.B.3 of the Rules of the Supreme Court of Virginia, the Fourth District Subcommittee, Section I, of the Virginia State Bar hereby serves upon Kelly Ralston Dennis, (“Respondent”) the following Certification:

I. FINDINGS OF FACT

1. At all times referenced herein Respondent Kelly Ralston Dennis (Respondent) has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. In November 2013, the Virginia State Bar (Bar) mailed to Respondent at his address of record his 2013 Mandatory Continuing Legal Education (MCLE) Form 1 End of Year Report which indicated that Respondent required additional MCLE hours and that the MCLE deadline was December 16, 2013.
3. Respondent did not submit documentation that he completed the MCLE hours by December 16, 2013.
4. By Notice of Impending MCLE Suspension dated January 10, 2014, the Bar advised Respondent that the MCLE suspension deadline was March 11, 2014. This 60-day Notice of Impending MCLE Suspension provided instructions for compliance with the MCLE requirement.
5. Again by Notice of Impending MCLE Suspension dated February 21, 2014, the Bar advised Respondent that to avoid suspension, Respondent had to return the Notice of Impending MCLE Suspension form with all corrections, attachments, and fees no later than 4:45 p.m. March 11, 2014.

6. Respondent did not return the Notice of Impending MCLE Suspension Form to the Bar by March 11, 2014.
7. Respondent acknowledged that he is aware of the MCLE requirements. Respondent further acknowledged that in November 2013 he received the notification from the Bar that his MCLE deadline was December 16, 2013, and in February 2014 Respondent received the Notice of Impending MCLE Suspension.
8. By letter dated March 12 and delivered March 17 at 10:29 a.m. to Respondent's address of record, the Bar notified Respondent that his license to practice law in the Commonwealth of Virginia was suspended March 12, 2014, for failure to comply with the MCLE requirement.
9. On March 19, 2014, and notwithstanding his suspension, Respondent appeared in Arlington County General District Court and represented two clients in two different matters.

II. NATURE OF MISCONDUCT

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

RULE 5.5 Unauthorized Practice Of Law; Multijurisdictional Practice of Law

(c) A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.

III. CERTIFICATION

Accordingly, it is the decision of the Subcommittee to certify the above matters to the Virginia State Bar Disciplinary Board.

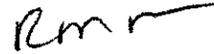
FOURTH DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

By _____

Elizabeth L. Tuomey, Esq.,
Subcommittee Chair

CERTIFICATE OF SERVICE

I certify that on July 8, 2014, I mailed by certified mail, return receipt requested, a true and correct copy of the foregoing Subcommittee Determination (Certification) to Kelly Ralston Dennis, Esquire, Respondent, at Suite 200, 6718 Whittier Avenue, McLean, VA 22101, Respondent's last address of record with the Virginia State Bar.



Renu Mago Brennan
Assistant Bar Counsel