

VIRGINIA :

BEFORE THE THIRD DISTRICT COMMITTEE SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTERS OF
REUBEN VOLL GREENE

VSB Docket No. 07-033-0066 and
07-033-0067

SUBCOMMITTEE DETERMINATION
PUBLIC REPRIMAND WITHOUT TERMS

On September 18, 2007 a hearing in this matter was held before a duly convened Third District Committee, Section III Subcommittee consisting of Dennis R. Kiker, Chair, Cullen D. Seltzer and Mary P. Hunton, lay person to consider a proposed Agreed Disposition tendered to the Subcommittee Pursuant to the Rules of the Virginia Supreme Court, Part Six, Section IV, Paragraph 13.G.1.d.2. by Respondent and Bar Counsel. After considering the Agreed Disposition, the Subcommittee voted unanimously to accept the same.

Accordingly, pursuant to Part 6, Section IV, Paragraph 13.G.4 of the Rules of the Virginia Supreme Court, the Third District Committee Subcommittee, Section III of the Virginia State Bar hereby serves upon the Respondent the following PUBLIC Reprimand:

I. FINDINGS OF FACT

VSB DOCKET NO. 07-033-0066

1. At all times relevant hereto, Reuben Voll Greene ("Respondent"), has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. Richard Robinson retained Mr. Greene to represent his interests on charges of 12 misdemeanor counts of cruelty to animals and 12 felony counts of organized dog fighting.
3. After a two day trial, Mr. Robison was convicted of 1 felony count of organized dog fighting and 6 misdemeanor cruelty counts. Mr. Robinson was acquitted on the remaining 11 felony counts and 6 misdemeanor counts. He was sentenced on May 9, 2005.

4. On May 10, 2005, Respondent filed a Notice of Appeal.

5. On July 18, 2005, Respondent filed a Motion for Extension of Time to File Petition for Appeal and Appendix. In that Motion, Respondent states that the transcripts of sentencing and pre trial motions were received by the Circuit Court on June 14, 2005, but the trial transcripts had not. Respondent advised both the court reporter and the Circuit Court clerk that the trial transcripts were not filed and that Respondent had never received a copy of the same in order to prepare a petition.

6. The Virginia Court of Appeals received the record of the proceedings on August 8, 2005.

7. On August 17, 2005, the Court of Appeals entered a Rule to Show Cause why the case should not be dismissed for failure to file the transcripts.

8. Respondent failed to respond to the Rule to Show Cause.

9. On September 8, 2005, the Court of Appeals dismissed Mr. Robinson's appeal.

VSb DOCKET NO. 07-033-0067

1. At all times relevant hereto, Reuben Voll Greene ("Respondent"), has been an attorney licensed to practice law in the Commonwealth of Virginia.

2. Respondent represented Cecil Johnson at trial on several criminal charges in the Circuit Court for the City of Richmond.

3. Mr. Johnson retained Mr. Greene to file the appeal and Mr. Johnson's aunt paid a retainer of \$4,500.00

4. On October 6, 2005, Mr. Johnson was tried and convicted by the Circuit Court for the City of Richmond of possession of heroin with intent to distribute and possession of marijuana while a prisoner.

5. The Richmond Circuit Court sentenced Mr. Johnson on January 23, 2006.

6. On January 23, 2006, Respondent filed a Notice of Appeal.

7. On April 12, 2006, the Court of Appeals received the record of the proceedings.

8. On April 25, 2006, the Court of Appeals entered a show cause requiring Respondent to Show Cause why the appeal should not be dismissed for failure to file the transcripts or a statement of facts.

9. On May 17, 2006, the Court of Appeals dismissed the appeal.

10. Mr. Johnson asked Respondent at various times what the status of the appeal was.
11. Respondent did not advise Mr. Johnson that the appeal was dismissed until December of 2006.
12. Respondent advised Mr. Johnson of his right to file to habeas corpus.

II. NATURE OF MISCONDUCT

Such conduct by Reuben Voll Greene 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.
- (b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representations.

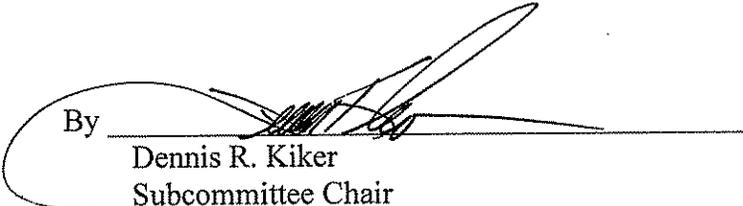
III. PUBLIC REPRIMAND

Accordingly, it is the decision of the subcommittee to impose a PUBLIC Reprimand and the Respondent is hereby so reprimanded.

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

THIRD DISTRICT COMMITTEE
SECTION III SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

By _____


Dennis R. Kiker
Subcommittee Chair

CERTIFICATE OF SERVICE

I certify that on this 18th day of October, 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 Reuben Voll Greene, Esquire, Respondent, at, 1557 East Main Street, Richmond, VA 23219, his/her last address of record with the Virginia State Bar.



Paulo E. Franco, Jr.
Assistant Bar Counsel