

VIRGINIA:

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

**IN THE MATTERS OF
DENNY PAT DOBBINS**

**VS B Docket Nos. 05-010-1594 and
05-010-1595**

**SUBCOMMITTEE DETERMINATION
PUBLIC REPRIMAND**

On June 3, 2005 a meeting in this matter was held before a duly convened First District Subcommittee consisting of Durwood Curling, Robert R. Kinser, Esq., and Damian P. Dwyer, Esq., Chair Presiding. At that time, the Subcommittee voted to set these matters for a hearing before the District Committee but also authorized Assistant Bar Counsel to agree to a Public Reprimand should the Respondent be so inclined. The Respondent did enter into a written agreement for a Public Reprimand of the type authorized by the Subcommittee. As such, pursuant to Part 6, Section IV, Paragraph 13(G)(1)(c)(3) of the Rules of the Virginia Supreme Court, the First District Subcommittee of the Virginia State Bar hereby serves upon the Respondent the following Public Reprimand:

I. FINDINGS OF FACT

1. At all times material to these matters, the Respondent, Denny Pat Dobbins, Esq. (Dobbins) was an attorney licensed to practice law in the Commonwealth of Virginia.

The Shawone Perry Appeal 05-010-1594

2. Dobbins was appointed to represent one Shawone Perry (Perry) in his direct appeal to the Court of Appeals of Virginia (the Court of Appeals).

3. Dobbins timely filed a Notice of Appeal, but thereafter filed the Petition for Appeal late and the Court of Appeals dismissed the appeal on that basis.

4. Dobbins told the Bar's Investigator he did not notify Perry of the dismissal of the appeal as

he thought the appeal had “gone through.”

5. Perry would testify Dobbins never advised him of the status of his appeal, and he learned it had been dismissed only after contacting the Court of Appeals directly.

6. Dobbins did not respond to the Bar’s complaint letter dated October 25, 2004, even though it advised him of his duty to do so under Rule 8.1(c).

[Applicable Rules: 1.1; 1.3(a); 1.4(a) and 8.1(c)]

The Mario Jennings Appeal 05-010-1595

7. Dobbins also filed a Notice of Appeal for one Mario Jennings (Jennings) in his direct appeal to the Court of Appeals. After filing the Notice of Appeal, Dobbins was appointed to represent Jennings in his appeal.

8. Dobbins failed to timely file a Petition for Appeal, and Jennings’ appeal was dismissed by the Court of Appeals on that basis.

9. Dobbins claimed to the Bar’s Investigator that he was not aware of the court appointment and filed the Notice of Appeal solely to protect Jennings’ interests.

10. Dobbins did not respond to the Bar’s complaint letter dated October 25, 2004, even though it advised him of his duty to do so under Rule 8.1(c).

[Applicable Rules: 1.3(a); 1.16(c) and 8.1(c)]

II. NATURE OF MISCONDUCT

Based on the Agreed Disposition, the Subcommittee finds by clear and convincing evidence that Mr. Dobbins violated the following Rules of Professional Responsibility:

RULE 1.1 Competence

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

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.

RULE 1.16 Declining Or Terminating Representation

- (c) In any court proceeding, counsel of record shall not withdraw except by leave of court after compliance with notice requirements pursuant to applicable rules of court. In any other matter, a lawyer shall continue representation notwithstanding good cause for terminating the representation, when ordered to do so by a tribunal.

RULE 8.1 Bar Admission And Disciplinary Matters

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

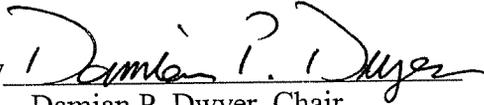
- (c) fail to respond to a lawful demand for information from an admissions or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6;....

III. PUBLIC REPRIMAND

Based on the Agreed Disposition and after considering all the evidence the Subcommittee ODRERS that Mr. Dobbins receive a PUBLIC REPRIMAND, without Terms, and he is so reprimanded.

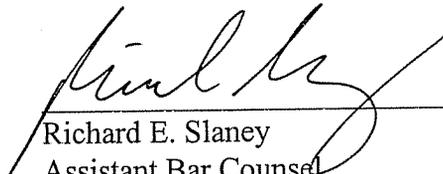
Pursuant to Part Six, Section IV, Paragraph 13(B)(8)(c)(1) of the Rules of the Virginia Supreme Court, the Clerk of the Disciplinary System shall assess costs.

FIRST DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

By 
Damian P. Dwyer, Chair

CERTIFICATE OF SERVICE

I certify that on the 1st date of August, 2005, I mailed by Certified Mail, Return Receipt Requested, a true copy of the Subcommittee Determination (Public Reprimand) to Denny Pat Dobbins, Esq., Respondent, at P.O. Box 1442, Chesapeake, Virginia 23327, his last address of record with the Virginia State Bar.


Richard E. Slaney
Assistant Bar Counsel