

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

Timothy Scott Carnes, Esquire

VSB Docket No. 20-000-118442

CONSENT TO REVOCATION ORDER

This matter came on April 24, 2020, on Respondent Timothy Scott Carnes, Esquire's (hereinafter "Respondent") Affidavit Declaring Consent to Revocation (hereinafter "Affidavit") of his license to practice law in the courts of this Commonwealth. By tendering his Consent to Revocation at a time when allegations of Misconduct are pending, the nature of which are specifically set forth in the attached Affidavit, Respondent acknowledges that that the material facts upon which the allegations of Misconduct are pending are true.

The Board having considered the Affidavit, and Bar Counsel having no objection, the Board accepts Respondent's Consent to Revocation.

Upon consideration whereof, it is therefore Ordered that Respondent Timothy Scott Carnes' license to practice law in the courts of this Commonwealth be and the same hereby is revoked, and that the name of Timothy Scott Carnes be stricken from the Roll of Attorneys of this Commonwealth.

Entered this 28th day of April, 2020.

Virginia State Bar Disciplinary Board.

Sandra L. Havrilak

Digitally signed by Sandra L. Havrilak
DN: cn=Sandra L. Havrilak, o, ou,
email=shavrilak@havrilaklaw.com, c=US
Date: 2020.04.28 11:41:16 -04'00'

Sandra L. Havrilak, Chair

A COPY TESTE:



BONNIE T. WALDECK

SENIOR ASSISTANT CLERK OF THE DISCIPLINARY SYSTEM

RECEIVED
Apr 24, 2020

VIRGINIA STATE BAR
CLERK'S OFFICE

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
TIMOTHY SCOTT CARNES

VSB Docket # 20-000-118442

AFFIDAVIT DECLARING CONSENT TO REVOCATION

Timothy Scott Carnes, after being duly sworn, states as follows:

1. That he was licensed to practice law in the Commonwealth of Virginia on October 15, 2004;
2. That he submits this Affidavit Declaring Consent to Revocation pursuant to the Rules of Court, Part 6, Section IV, Paragraphs 13-22 and 13-28;
3. That his consent to revocation is freely and voluntarily rendered, that he is not being subjected to, coercion, or duress, and that he is fully aware of the implications of consenting to the revocation of his license to practice law in the Commonwealth of Virginia;
4. He is aware that there is currently pending a Proceeding involving allegations of Misconduct, the docket number for which is referenced above and the specific nature of which is set out in the Trial Order – Refer for Presentence Report entered in the Norfolk Circuit Court on February 13, 2020, a copy of which is attached hereto and incorporated herein;
5. He acknowledges that the material facts upon which the allegations of Misconduct are predicated are true; and
6. He submits this Affidavit and consents to the revocation of his license to practice law in the Commonwealth of Virginia because he knows that if disciplinary Proceedings based on the said alleged Misconduct were prosecuted to a conclusion, he could not successfully defend them.

Executed on April 14, 2020.

Timothy Scott Carnes
Timothy Scott Carnes
Respondent

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Norfolk, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by Timothy Scott Carnes on April 14, 2020.

Theresa Campbell
Notary Public

My Commission expires: 5/31/2021.



TRIAL ORDER - REFER FOR PRESENTENCE REPORT

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF NORFOLK

FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 710

Hearing Date: **February 12, 2020**

Court Reporter - **J. Gromkoski**

Judge: **Michelle J. Atkins**

Court Clerk - **SLT**

COMMONWEALTH OF VIRGINIA

v.

Timothy Scott Carnes, DEFENDANT

This case came before the Court for trial of the defendant, who appeared in person with his attorney, **James Broccoletti**. The Commonwealth was represented by **T. Marie Walls/T. George Underwood**.

The defendant stands charged with the following offenses:

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION
CR19002216-00	Procure Minor for Obscene Material by Communication System	F 05/30/19	18.2-374.3
CR19002216-01	Procure Minor for Obscene Material by Communication System	F 05/30/19	18.2-374.3
CR19002216-02	Procure Minor for Obscene Material by Communication System	F 05/30/19	18.2-374.3
CR19002216-03	Procure Minor for Obscene Material by Communication System	F 05/30/19	18.2-374.3
CR19002216-04	Procure Minor for Obscene Material by Communication System	F 05/30/19	18.2-374.3
CR19002216-05	Procure Minor for Obscene Material by Communication System	F 05/30/19	18.2-374.3
CR19002216-06	Procure Minor for Obscene Material by Communication System	F 05/30/19	18.2-374.3
CR19002216-07	Procure Minor for Obscene Material by Communication System	F 05/30/19	18.2-374.3

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CR19002216-08	Procure Minor for Obscene Material by Communication System	F	05/30/19	18.2-374.3
CR19002216-09	Procure Minor for Obscene Material by Communication System	F	05/30/19	18.2-374.3
CR19002216-10	Procure Minor for Obscene Material by Communication System	F	05/30/19	18.2-374.3
CR19002216-11	Procure Minor for Obscene Material by Communication System	F	05/30/19	18.2-374.3
CR19002216-12	Procure Minor for Obscene Material by Communication System	F	05/30/19	18.2-374.3
CR19002216-13	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26
CR19002216-14	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26
CR19002216-15	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26
CR19002216-16	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26
CR19002216-17	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26
CR19002216-18	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26
CR19002216-19	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26
CR19002216-20	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26
CR19002216-21	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26
CR19002216-22	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26
CR19002216-23	Attempt to Commit Indecent Liberties with Child Under Age 15	F	05/30/19	18.2-370/ 18.2-26

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CR19002216-24 Attempt to Commit Indecent F 05/30/19 18.2-370/
Liberties with Child Under 18.2-26
Age 15
CR19002216-24 Attempt to Commit Indecent F 05/30/19 18.2-370/
Liberties with Child Under 18.2-26
Age 15

Whereupon the defendant waived arraignment and tendered his plea of guilty to 13 counts of Procure Minor for Obscene Material by Communication System as charged in Indictments #1 through #13 and 13 counts of Attempt to Commit Indecent Liberties with Child Under Age 15 as charged in Indictments #14 through #26. The Court, having been advised by the defendant, his counsel, and the attorney for the Commonwealth that there has been a Plea Agreement in this case, it was filed herein. The Court, having heard the evidence and argument of counsel, finds the defendant guilty of same, and accepts said Agreement and continues this matter until such time as a sentencing hearing is held.

The Court, on motion by the attorney for the defendant, **ORDERS** that this case be referred to the Probation Officer of this Court for a **Long form Presentence Report**, the hearing on which will be held on the 17th day of July 2020, at 11:00 a.m. before the Honorable **Michelle J. Atkins**, to which time this case is continued and the defendant was remanded to custody.

The Court certifies that at all times the defendant was personally present with his attorney.

ENTER: *Michelle J. Atkins* Michelle J. Atkins, Judge
February 13, 2020

DEFENDANT IDENTIFICATION: Timothy Scott Carnes, DEFENDANT
SSN: [REDACTED] DOB: [REDACTED] Sex: **MALE**

A copy of this Order was forwarded on February 13, 2020 to the Probation Office of this Court.



The Foregoing Document Copy Teste:
George E. Schaefer, Clerk
Norfolk Circuit Court
BY *Gerald L. Stokes*
Gerald L. Stokes, Deputy Clerk
Authorized to sign on behalf
of George E. Schaefer, Clerk
Date: March 23, 2020

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