

VIRGINIA:

BEFORE THE SECOND DISTRICT COMMITTEE, SECTION I
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
STEVEN MARCUS MIYARES

VSB Docket No. 17-021-108657

CONSENT ORDER
OF
PUBLIC REPRIMAND

On March 29, 2017, the Virginia State Bar issued to Respondent Steven Marcus Miyares a Notice of Show Cause Hearing requiring Respondent to appear before the Second District Committee, Section I, on May 11, 2017, at 9:00 a.m., to show cause why the alternative disposition contained in the Subcommittee Determination (Private Reprimand With Terms) issued October 3, 2014 in VSB Docket Nos. 14-021-096798, 14-021-097429 and 14-021-099320 ("Private Reprimand With Terms"), should not be imposed based on Respondent's failure to comply with the terms thereof.

Respondent agrees that he has failed to comply with the terms of the Private Reprimand with Terms, and further that the alternative disposition of a Public Reprimand should be imposed, and waives his right to a show cause hearing. Respondent specifically hereby stipulates and agrees as follows:

1. A true and correct copy of the Private Reprimand With Terms was attached to the Notice of Show Cause Hearing as Exhibit A.
2. One of the terms of the Private Reprimand With Terms with which Respondent was required to comply states:
"Respondent is placed on probation for a period of two (2) years commencing upon the issuance of this determination. During such probationary period, Respondent will not engage in professional misconduct as defined by the

Virginia Rules of Professional Conduct or the disciplinary rules of any other jurisdiction in which the Respondent is admitted to practice law. Any final determination that Respondent engaged in professional misconduct during this probationary period made by a District Subcommittee, District Committee, the Disciplinary Board, a Three-Judge Panel or the Supreme Court of Virginia shall conclusively be deemed to be a violation of this Term.”

3. The Private Reprimand With Terms provides that if the Terms are not met, the alternative sanction to be imposed is a Public Reprimand.
4. On March 14, 2017, a Second District Subcommittee issued a Subcommittee Determination (Public Reprimand With Terms) in VSB Docket No. 16-021-105642, a true and correct copy of which was attached to the Notice of Show Cause Hearing as Exhibit B, which constitutes a final determination that Respondent committed professional misconduct during the period of late February through early April 2016, which was during Respondent’s two-year period of probation.
5. Respondent agrees: i) he is in violation of the above-quoted term of the Private Reprimand With Terms and that he cannot show compliance with those terms by clear and convincing evidence; and ii) the alternative sanction of a Public Reprimand should be imposed pursuant to the Private Reprimand With Terms and Part Six, Section IV, Paragraph 13-15.F of the Rules of the Supreme Court of Virginia.

WHEREFORE, based on the foregoing, and the consent of Respondent and his waiver of his right to a show cause hearing as evidenced by his endorsement hereon, and

pursuant to Part Six, Section IV, Paragraph 13-15.F of the Rules of the Supreme Court of Virginia, it is ORDERED that the alternative sanction set out in the Private Reprimand With Terms of a Public Reprimand shall be and hereby is imposed.

It is further ORDERED that the bar shall mail a true and correct copy of this Consent Order by certified mail to Steven Marcus Miyares, Respondent, at 1724 Jermyn Lane, Virginia Beach, VA 23454-1174, Respondent's last address of record with the bar, and by first class mail, postage prepaid to Jason Stuart Redding Miyares, counsel for Respondent, at 1724 Jermyn Lane, Virginia Beach, VA 23454.

ENTERED: 5 / 3 / 2017

SECOND DISTRICT COMMITTEE, SECTION I


By



Bruce D. Jones, Jr.
Chair

SEEN AND AGREED:

THE VIRGINIA STATE BAR

By


M. Brent Saunders
Senior Assistant Bar Counsel


Steven Marcus Miyares
Respondent


Jason Stuart Redding Miyares, Esquire
Counsel for Respondent