

VIRGINIA:

**BEFORE THE FIFTH DISTRICT—SECTION II SUBCOMMITTEE
OF THE VIRGINIA STATE BAR**

**IN THE MATTER OF ALFRED LINCOLN ROBERTSON, JR., ESQUIRE
VSB Docket No. 08-052-073790**

**SUBCOMMITTEE DETERMINATION
PUBLIC REPRIMAND**

On June 3, 2011, a meeting in this matter was held before a duly convened Fifth District--Section II Subcommittee consisting of Julia B. Judkins, Esq., Mr. Lee Wilkinson, lay person, and Benton S. Duffett, III, Esq., presiding, to review an Agreed Disposition reached by the parties.

Pursuant to the provisions of the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-15.4.c., the Fifth District--Section II Subcommittee of the Virginia State Bar accepts the proposed Agreed Disposition and hereby serves upon the Respondent the following Public Reprimand, as set forth below:

I. FINDINGS OF FACT

1. At all times relevant hereto, Alfred Lincoln Robertson, Jr. ("Respondent"), has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. On or around June 22, 2007, Complainant, Nelofer Diana Faiz, and her husband, Salman Paris Muafty, retained Respondent to assist them with an immigration matter. Ms. Faiz was a United States Citizen and wished to begin the process of obtaining citizenship for her husband. At the time they retained Respondent, Complainant and her husband completed all forms required by Respondent, and paid him a total of \$2,000.00.
3. On or around August 8, 2007, Respondent filed an I-130 Petition for Alien Relative and an I-485 Petition to Adjust Status with the United States Custom and Immigration Service on Mr. Muafty's behalf. In the weeks that followed, Complainant followed up with Respondent to determine the status of her husband's petition. Respondent advised her to be patient.

4. In December, 2007, Mr. Muafty went personally to the National Benefits Center in Annandale, Virginia to check on the status of his application. He was advised at that time that his case had not progressed since, at the time of the original filing, Mr. Muafty's birth certificate had not been included with the paperwork. The following day, Mr. Muafty and/or Complainant filed a copy of Mr. Muafty's birth certificate personally.

5. Thereafter, Complainant attempted to contact Respondent to inquire as to why he failed to advise them that the birth certificate had not been filed with the original paperwork. Respondent never provided a satisfactory response and, after the Christmas holidays, stopped communicating with his clients completely.

6. In an effort to obtain a status on their case, Complainant placed many telephone calls to Respondent, and Mr. Muafty went personally to his office. Respondent did not respond to any of these efforts at communication by his clients.

7. Due to Respondent's failure to communicate with them, Complainant and her husband notified the immigration authorities that Respondent was no longer their attorney, and thereafter successfully completed the process on their own.

8. Respondent admitted to Virginia State Bar Investigator Cam Moffatt that he received notification from the USCIS that the birth certificate had not been filed and was necessary for the continued processing of the application. Respondent also admitted to Investigator Moffatt that he did not advise his clients of the communication from the USCIS, nor did he provide them with a copy of the notification letter.

9. Respondent stated that he wrote to Mr. Muafty on March 1, 2008, to advise him that he had made an "InfoPass" appointment with the immigration authorities for March 14, 2008, to determine the status of Mr. Muafty's work permit. Respondent advised Investigator Moffatt that he intended to provide the birth certificate to the immigration authorities at that time. Respondent produced an unsigned copy of a letter addressed to "Mr. Salman Mufti" advising him of the InfoPass appointment. The letter did not inform his client, however, that he was expected to bring his birth certificate to this meeting.

10. Respondent admitted to Investigator Moffatt that he could not recall "what happened" with the InfoPass appointment, but believed that he received this bar complaint between the time he wrote to his client on March 1, 2008, and the March 14th appointment.

11. On or around February 27, 2008, a copy of the Complainant's bar complaint was sent to Respondent at his last address of record with the Virginia State Bar under cover of a letter demanding his written response thereto within twenty-one (21) days pursuant to his obligations under Rule of Professional Conduct 8.1(c). Respondent never responded to the bar complaint, despite his obligation to do so, and admitted to Investigator Moffatt that "he had no excuse" for failing to meet his obligations under RPC 8.1(c).

II. NATURE OF MISCONDUCT

The Subcommittee finds that the following provisions of the Rules of Professional Conduct have been violated:

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.
- (c) A lawyer shall inform the client of facts pertinent to the matter and of communications from another party that may significantly affect settlement or resolution of the matter.

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. PUBLIC REPRIMAND

Accordingly, it is the decision of the Subcommittee to impose upon the Respondent, Alfred Lincoln Robertson, Jr., the sanction of a Public Reprimand, and he is hereby so reprimanded.

IV. COSTS

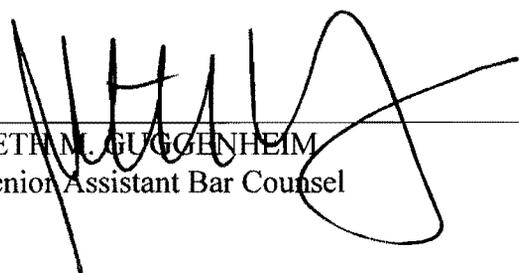
Pursuant to Part Six, Section IV, Paragraph 13-9E. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs against the Respondent.

**FIFTH DISTRICT—SECTION II SUBCOMMITTEE
OF THE VIRGINIA STATE BAR**

By  _____
Brenton S. Duffett, III, Esquire
Chair of Subcommittee

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2011 I caused to be mailed by Certified Mail, a true and complete copy of the Subcommittee Determination (Public Reprimand) to Alfred Lincoln Robertson, Jr., Esq., Robertson Law Office, PLLC, 11350 Random Hills Road, Suite 800, Fairfax, Virginia 22030.



SETH M. GUGGENHEIM
Senior Assistant Bar Counsel