

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF  
JEJOMAR GUARIN UNTALAN

VSB Docket No. 18-000-111882

RULE TO SHOW CAUSE  
AND  
ORDER OF SUMMARY SUSPENSION AND HEARING

It appearing to the Board that Jejomar Guarin Untalan was licensed to practice law within the Commonwealth of Virginia on January 12, 2009, and,

It further appearing that Jejomar Guarin Untalan has been suspended from the practice of law for a period of six months all but sixty days stayed in favor of a one-year period of probation with conditions by Order dated December 7, 2017 by the District of Columbia Court of Appeals, No. 17-BG-202.

It further appearing that such disciplinary action has become final.

It is ORDERED, pursuant to Rules of Court, Part Six, Section IV, Paragraph 13-24, that the license of Jejomar Guarin Untalan to practice law within the Commonwealth of Virginia be, and the same is, hereby suspended effective June 1, 2018.

It is further ORDERED that Jejomar Guarin Untalan appear before the Virginia State Bar Disciplinary Board at the State Corporation Commission – Courtroom A, Second Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219 at 9:00 a.m. on Friday, June 22, 2018, to show cause why the same discipline that was imposed in the other jurisdiction should not be imposed by the Board.

It is further ORDERED that Jejomar Guarin Untalan shall forthwith give notice, by certified mail, of the suspension of his license to practice law in Virginia to all clients for whom he is

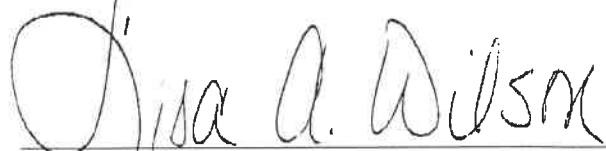
currently handling matters and to all opposing attorneys and the presiding judges in pending litigation. The Attorney shall also make appropriate arrangements for the disposition of matters then in his care in conformity with the wishes of his clients. The Attorney shall give such notice within fourteen (14) days of the effective date of the suspension order, and make such arrangements as are required herein within forty-five (45) days of the effective date of the suspension order. The Attorney shall also furnish proof to the bar within sixty (60) days of the effective date of the suspension order that such notices have been timely given and such arrangements for the disposition of matters made. Issues concerning the adequacy of the notice and arrangements required herein shall be determined by the Disciplinary Board, which may impose a sanction of revocation or suspension for failure to comply with the requirements of this subparagraph.

It is further ORDERED that a copy of Order dated December 7, 2017 by the District of Columbia Court of Appeals, No. 17-BG-202 be attached to this Rule to Show Cause and Order of Summary Suspension and Hearing and made a part hereof.

It is further ORDERED that an attested copy of this Rule to Show Cause and Order of Summary Suspension and Hearing, with attachments, shall be mailed to Jejomar Guarin Untalan by certified mail at his address of record with the Virginia State Bar, Untalan Law Firm, 106H Oakgrove Road, Sterling, VA 20166-9409, and to Paulo E. Franco, Jr., Assistant Bar Counsel, Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, Virginia 23219-0026.

ENTERED THIS 25<sup>th</sup> DAY OF MAY, 2018

VIRGINIA STATE BAR DISCIPLINARY BOARD

A handwritten signature in black ink, appearing to read "Lisa A. Wilson". The signature is written in a cursive style with a large initial "L".

Lisa A. Wilson, 1<sup>st</sup> Vice Chair

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**DISTRICT OF COLUMBIA COURT OF APPEALS**

No. 17-BG-202

FILED 12/17/17  
District of Columbia  
Court of Appeals

IN RE JEJOMAR UNTALAN, RESPONDENT.

*Julio Castillo*  
Julio Castillo  
Clerk of Court

A Member of the Bar of the District of Columbia Court of Appeals  
(Bar Registration No. 978229)

OFFICE OF DISCIPLINARY COUNSEL

On Report and Recommendation  
Of the Board on Professional Responsibility  
(BDN 081-13)  
(Board Docket No. 15-BD-024)

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(Decided December 7, 2017)

Before FISHER and EASTERLY, *Associate Judges*, and NEBEKER, *Senior Judge*.

PER CURIAM: In this case, the Board on Professional Responsibility has adopted the Ad Hoc Hearing Committee's uncontested findings that respondent Jejomar Untalan ignored multiple orders of this court to file a brief in each of seven separate criminal or juvenile matters in which he had been appointed as counsel pursuant to the Criminal Justice Act (CJA). The Board has also accepted the Ad Hoc Hearing Committee's consideration of certain mitigating evidence:

SCANNED

DEC 07 2017

Mr. Untalan's stress related to marital difficulties; his lack of prior disciplinary issues; and his steps to voluntarily close his practice, transfer his remaining cases, and assist in the transfer of client records.

In light of this record, the Board recommends that this court determine that Mr. Untalan violated District of Columbia Rules of Professional Conduct 1.1 (a), 1.1 (b), 1.3 (a), 1.3 (b)(1), 1.3 (c), 3.4 (c), and 8.4 (d). The Board further recommends that Mr. Untalan be suspended for a period of six months, all but sixty days stayed in favor of a one-year period of probation subject to the following conditions: Mr. Untalan shall (1) notify Disciplinary Counsel and the Board at least ninety days prior to resuming the practice of law; (2) consult with the D.C. Bar's Lawyer Assistance Program at least once during the probationary period and waive confidentiality to allow Disciplinary Counsel to confirm compliance; (3) undergo an assessment by the D.C. Bar's Director for the Practice Management Advisory Service, or his designee, implement any recommendations, and sign a limited waiver permitting the program to confirm compliance with this condition and cooperation with the assessment process; (4) not commit any additional Rule violations during the period of probation; and (5) report to a practice monitor and waive confidentiality to permit Disciplinary Counsel to confirm his compliance with the monitoring condition if he resumes the practice of

law during the period of probation. Neither Mr. Untalan nor Disciplinary Counsel has filed an exception to the Board's Report and Recommendations.

Under D.C. Bar R. XI, § 9 (h)(2), "if no exceptions are filed to the Board's report, the [c]ourt will enter an order imposing the discipline recommended by the Board upon the expiration of the time permitted for filing exceptions." *See also In re Viehe*, 762 A.2d 542, 543 (D.C. 2000) ("When . . . there are no exceptions to the Board's report and recommendation, our deferential standard of review becomes even more deferential."). We discern no reason to depart from the Board's recommendations, particularly in light of our previous determination that the extended neglect of CJA clients demonstrates a failure to competently, diligently, and zealously represent one's clients, and a failure to respond to court orders interferes with the administration of justice and justifies the discipline recommended by the Board. *See, e.g., In re Murdter*, 131 A.3d 355, 357 (D.C. 2016); *In re Askew*, 96 A.3d 52,60 (D.C. 2014).

Accordingly, it is

ORDERED that Jejomar Untalan is hereby suspended from the practice of law in the District of Columbia for a period of six months, all but sixty days stayed in favor of a one-year period of probation subject to the following conditions: Mr.

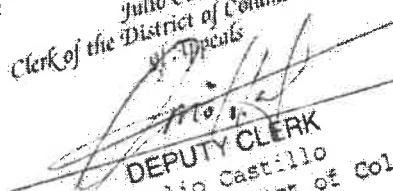
Untalan shall (1) notify Disciplinary Counsel and the Board at least ninety days prior to resuming the practice of law; (2) consult with the D.C. Bar's Lawyer Assistance Program at least once during the probationary period and waive confidentiality to allow Disciplinary Counsel to confirm compliance; (3) undergo an assessment by the D.C. Bar's Director for the Practice Management Advisory Service, or his designee, implement any recommendations, and sign a limited waiver permitting the program to confirm compliance with this condition and cooperation with the assessment process; (4) not commit any additional Rule violations during the period of probation; and (5) report to a practice monitor and waive confidentiality to permit Disciplinary Counsel to confirm his compliance with the monitoring condition if Mr. Untalan resumes the practice of law during the period of probation.

*So ordered.*

A true Copy  
Test:

Julio Castillo  
Clerk of the District of Columbia Court  
of Appeals

BY

  
DEPUTY CLERK  
Julio Castillo  
Clerk of the District of Columbia  
Court of Appeals