

APPELLATE DIVISION OF THE SUPREME COURT OF THE STATE OF NEW YORK, THIRD DEPARTMENT

Matter of Gartenman

2026 NY Slip Op 04028 (Appellate Division of the Supreme Court of the State of New York Third Department 2026) · No. PM-131-26 · Decided June 25, 2026

SUMMARY

The Appellate Division, Third Department granted Eric Henry Gartenman's application to resign from the New York bar for nondisciplinary reasons. The court accepted his resignation, struck his name from the roll of attorneys effective immediately, prohibited him from practicing law in New York, and ordered him to surrender his Attorney Secure Pass.

CASE DETAILS

COURT	Appellate Division of the Supreme Court of the State of New York, Third Department
WRITING FOR THE COURT	Per Curiam; Clark, J.P.; Ceresia, J.; McShan, J.; Mackey, J.; Ryba, J.
JURISDICTION	New York Appellate Division, Third Department
DECIDED	June 25, 2026
DOCKET	PM-131-26
DISPOSITION	other
PROCEDURAL POSTURE	An attorney petitioned the Appellate Division for permission to resign from the New York bar for nondisciplinary reasons. The Attorney Grievance Committee did not oppose the application.
PRECEDENTIAL VALUE	Published

TOPICS

appellate procedure

PRACTICE AREAS

attorney discipline

professional responsibility

bar admission and resignation

QUESTIONS PRESENTED

- Whether Gartenman was eligible to resign from the New York bar for nondisciplinary reasons under 22 NYCRR 1240.22(a).

2. What relief should follow from acceptance of the nondisciplinary resignation.

HOLDINGS

1. Because Gartenman was determined to be eligible to resign for nondisciplinary reasons, his application for permission to resign was granted and his resignation was accepted.
2. Upon acceptance of the resignation, Gartenman's name was stricken from the roll of attorneys and counselors-at-law, he was prohibited from practicing law or holding himself out as an attorney in New York, and he was required to surrender any Attorney Secure Pass within 30 days.

KEY QUOTATIONS

“ORDERED that Eric Henry Gartenman's application for permission to resign is granted and his nondisciplinary resignation is accepted; and it is further ORDERED that Eric Henry Gartenman's name is hereby stricken from the roll of attorneys and counselors-at-law of the State of New York, effective immediately, and until further order of this Court” (Order)

FACTUAL BACKGROUND

Eric Henry Gartenman was admitted to practice by the Appellate Division, Third Department, in 2004 and maintained a business address in Tucson, Arizona with the Office of Court Administration. He sought permission to resign from the New York bar for nondisciplinary reasons. The Attorney Grievance Committee advised that it did not oppose the application, and the court found Gartenman eligible to resign.

PROCEDURAL HISTORY

Eric Henry Gartenman, who had been admitted to practice by the Third Department in 2004, submitted an affidavit seeking nondisciplinary resignation. After reviewing the affidavit and the Attorney Grievance Committee's response, the court determined that he was eligible and granted the application.

DISPOSITION

other

OPINION

PER CURIAM.

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This decision is uncorrected and subject to revision before publication in the Official Reports. In the Matter of Eric Henry Gartenman, an Attorney. (Attorney Registration No. 4181350) Decided

and Entered: June 25, 2026 PM-131-26 Calendar Date: June 22, 2026 Before: Clark, J.P., Ceresia, Mcshan, Mackey And Ryba, JJ. Eric Henry Gartenman, Tucson, Arizona, pro se.

Monica A. Duffy, Attorney Grievance Committee for the Third Judicial Department, Albany (Alison M. Coan of counsel), for Attorney Grievance Committee for the Third Judicial Department. [*1] Per Curiam. Eric Henry Gartenman was admitted to practice by this Court in 2004 and lists a business address in Tucson, Arizona with the Office of Court Administration. Gartenman now seeks leave to resign from the New York bar for nondisciplinary reasons (see Rules for Atty Disciplinary Matters [22 NYCRR] § 1240.22 [a]).

The Attorney Grievance Committee for the Third Judicial Department (hereinafter AGC) advises that it does not oppose Gartenman's application. Upon reading Gartenman's affidavit sworn to April 30, 2026 and filed May 7, 2026, and upon reading the June 16, 2026 correspondence in response by the Deputy Chief Attorney for AGC, and having determined that Gartenman is eligible to resign for nondisciplinary reasons, we grant his application and accept his resignation.

Clark, J.P., Ceresia, McShan, Mackey and Ryba, JJ., concur. ORDERED that Eric Henry Gartenman's application for permission to resign is granted and his nondisciplinary resignation is accepted; and it is further ORDERED that Eric Henry Gartenman's name is hereby stricken from the roll of attorneys and counselors-at-law of the State of New York, effective immediately, and until further order of this Court (see generally Rules for Atty Disciplinary Matters [22 NYCRR] § 1240.22 [b]); and it is further ORDERED that Eric Henry Gartenman is commanded to desist and refrain from the practice of law in any form in the State of New York, either as principal or as agent, clerk or employee of another; and Gartenman is hereby forbidden to appear as an attorney or counselor-at-law before any court, judge, justice, board, commission or other public authority, or to give to another an opinion as to the law or its application, or any advice in relation thereto, or to hold himself out in any way as an attorney and counselor-at-law in this State; and it is further ORDERED that Eric Henry Gartenman shall, within 30 days of the date of this decision, surrender to the Office of Court Administration any Attorney Secure Pass issued to him.

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