

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

Matter of Printy

2018 NY Slip Op 02875 (App. Div. 2018) · Decided April 26, 2018

SUMMARY

The New York Appellate Division, Third Department denied Gary Lee Printy Jr.'s application to resign from the New York bar for nondisciplinary reasons. The court held that his delinquency in fulfilling attorney registration requirements made him subject to potential disciplinary action and therefore ineligible for nondisciplinary resignation.

CASE DETAILS

COURT	Appellate Division of the Supreme Court of the State of New York, Third Department
WRITING FOR THE COURT	Garry, P.J.; McCarthy, J.; Devine, J.; Aarons, J.; Pritzker, J.
JURISDICTION	New York
DECIDED	April 26, 2018
DISPOSITION	other
PROCEDURAL POSTURE	An attorney applied for permission to resign from the New York bar for nondisciplinary reasons. The Attorney Grievance Committee opposed the application, and the Appellate Division decided the application.
PRECEDENTIAL VALUE	Published New York Appellate Division memorandum and order
PARTIES	Gary Lee Printy Jr. v. Attorney Grievance Committee for the Third Judicial Department

TOPICS

appellate procedure

PRACTICE AREAS

legal ethics

attorney discipline

bar admission and registration

QUESTIONS PRESENTED

1. Whether an attorney delinquent in required New York attorney registration, and therefore subject to potential disciplinary action, is eligible to resign from the New York bar for nondisciplinary reasons.
2. What documentation must support any future application for resignation.

HOLDINGS

1. An attorney who is delinquent in New York attorney registration requirements and consequently subject to potential disciplinary action is ineligible for nondisciplinary resignation.
2. Any future application by Printy must be supported by proof that he has fully satisfied the requirements of Judiciary Law § 468-a and 22 NYCRR 118.1.

KEY QUOTATIONS

*“Inasmuch as Printy is therefore subject to potential disciplinary action (see Judiciary Law § 468-a [5]; Rules of Professional Conduct [22 NYCRR 1200.0] rule 8.4 [d]; see also Matter of Attorneys in Violation of Judiciary Law § 468-a, 113 AD3d 1020, 1021 [2014]), he is ineligible for nondisciplinary resignation and his application must be denied” (*1)*

FACTUAL BACKGROUND

Gary Lee Printy Jr. was admitted to practice by the Third Department in 2011 and maintained a business address in Tampa, Florida. He sought to resign from the New York bar for nondisciplinary reasons but had failed to register for the biennial period beginning in 2017. Because that delinquency subjected him to potential disciplinary action, the court concluded that he was ineligible for nondisciplinary resignation.

PROCEDURAL HISTORY

Printy, who was admitted to practice in New York in 2011, applied to the Appellate Division for nondisciplinary resignation. The Attorney Grievance Committee opposed the application because Printy was delinquent in his biennial attorney registration. The court denied the application and stated that any future application must include proof of compliance with the applicable registration requirements.

DISPOSITION

other

CASES CITED

- Matter of Attorneys in Violation of Judiciary Law § 468-a, 113 AD3d 1020, 1021 (2014)
- Matter of Cluff, 148 AD3d 1346, 1346 (2017)
- Matter of Bomba, 146 AD3d 1226, 1226-1227 (2017)
- Matter of Frank, 146 AD3d 1228, 1228-1229 (2017)

OPINION

PER CURIAM.

Matter of Printy (2018 NY Slip Op 02875) Matter of Printy 2018 NY Slip Op 02875 Decided on April 26, 2018 Appellate Division, Third Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports. Decided and Entered: April 26, 2018 [*1]In the Matter of GARY LEE PRINTY JR., an Attorney.

(Attorney Registration No. 4972931) Calendar Date: April 23, 2018 Before: Garry, P.J., McCarthy, Devine, Aarons and Pritzker, JJ. Gary Lee Printy Jr., Tampa, Florida, pro se. Monica A. Duffy, Attorney Grievance Committee for the Third Judicial Department, Albany, for Attorney Grievance Committee for the Third Judicial Department. MEMORANDUM AND ORDER Gary Lee Printy Jr. was admitted to practice by this Court in 2011 and lists a business address in Tampa, Florida with the Office of Court Administration.

Printy now seeks leave to resign from the New York bar for nondisciplinary reasons (see Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.22 [a]). The Attorney Grievance Committee for the Third Judicial Department (hereinafter AGC) opposes the application by correspondence from its Chief Attorney.

As is noted by AGC, Printy is presently delinquent in his New York attorney registration requirements, having failed to register for the biennial period beginning in 2017 (see Judiciary Law § 468-a; Rules of the Chief Admin of Cts [22 NYCRR] § 118.1). Inasmuch as Printy is therefore subject to potential disciplinary action (see Judiciary Law § 468-a [5]; Rules of Professional Conduct [22 NYCRR 1200.0] rule 8.4 [d]; see also Matter of Attorneys in Violation of Judiciary Law § 468-a, 113 AD3d 1020, 1021 [2014]), he is ineligible for nondisciplinary resignation and his application must be denied (see Matter of Cluff, 148 AD3d 1346, 1346 [2017]; Matter of Bomba, 146 AD3d 1226, 1226-1227 [2017]).

Further, any future application by Printy must be supported by proof of his full satisfaction of the requirements of Judiciary Law § 468-a and Rules of the Chief Administrator of the Courts (22 NYCRR) § 118.1 (see Matter of Frank, 146 AD3d 1228, 1228-1229 [2017]). Garry, P.J., McCarthy, Devine, Aarons and Pritzker, JJ., concur. ORDERED that Gary Lee Printy Jr.'s application for permission to resign is denied.