

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
SECOND JUDICIAL DEPARTMENT

Matter of Kevin S. Johnson

2026 NY Slip Op 00776 · No. 2025-04188 · Decided February 11, 2026

SUMMARY

The Appellate Division, Second Department, granted the Grievance Committee's motion to deem disciplinary charges established based on Kevin S. Johnson's default. The court disbarred Johnson effective immediately and directed him to comply with the rules governing disbarred attorneys.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Per Curiam; Hector D. LaSalle, P.J.; Mark C. Dillon, J.; Colleen D. Duffy, J.; Betsy Barros, J.; Donna-Marie E. Golia, J.
JURISDICTION	New York Supreme Court, Appellate Division, Second Department
DECIDED	February 11, 2026
DOCKET	2025-04188
DISPOSITION	other
PROCEDURAL POSTURE	Attorney disciplinary proceeding in which the Grievance Committee moved to deem professional-misconduct charges established based on the respondent's default and to impose discipline.
PRECEDENTIAL VALUE	published
PARTIES	Grievance Committee for the Tenth Judicial District v. Kevin S. Johnson, admitted as Kevin Scott Johnson

TOPICS

- default
- appellate procedure
- civil procedure

PRACTICE AREAS

- attorney discipline
- professional responsibility
- appellate procedure

QUESTIONS PRESENTED

1. Whether the respondent's failure to answer the disciplinary petition and oppose the motion warranted deeming the six charges of professional misconduct established by default.
2. What discipline should be imposed after the charges were established.

HOLDINGS

1. Because the respondent failed to answer the petition, request additional time, oppose the motion, or otherwise respond, the six charges of professional misconduct were deemed established based on his default.
2. The respondent was disbarred effective immediately, and his name was stricken from the roll of attorneys and counselors-at-law.

KEY QUOTATIONS

“Accordingly, the Grievance Committee’s motion to deem the charges against the respondent established based upon his default is granted, the charges in the petition dated March 18, 2025, are deemed established, and, effective immediately, the respondent is disbarred and his name is stricken from the roll of attorneys and counselors-at-law.” ([*1])

FACTUAL BACKGROUND

The respondent was admitted to the New York bar in the Second Department on May 1, 2013. The petition alleged that he failed to cooperate with five disciplinary investigations, failed to appear or produce documents pursuant to two judicial subpoenas, neglected four legal matters, and engaged in conduct prejudicial to the administration of justice and adversely reflecting on his fitness as a lawyer. He failed to answer the petition or oppose the disciplinary motion.

PROCEDURAL HISTORY

The Grievance Committee served and filed a notice of petition and verified petition containing six professional-misconduct charges. The respondent did not answer the petition, request additional time, oppose the Committee’s motion, or otherwise respond. The Appellate Division granted the motion, deemed the charges established, and disbarred the respondent effective immediately.

DISPOSITION

other

OPINION

PER CURIAM.

Matter of Johnson (2026 NY Slip Op 00776) Matter of Johnson 2026 NY Slip Op 00776 Decided on February 11, 2026 Appellate Division, Second Department Per Curiam. 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 on February 11, 2026 SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Second Judicial Department HECTOR D. LASALLE, P.J. MARK C. DILLON COLLEEN D. DUFFY BETSY BARROS DONNA-MARIE E. GOLIA, JJ. 2025-04188 [*1]In the Matter of Kevin S. Johnson, admitted as Kevin Scott Johnson, an attorney and counselor-at-law.

Grievance Committee for the Tenth Judicial District, petitioner; Kevin S. Johnson, respondent. (Attorney Registration No. 4971784) DISCIPLINARY PROCEEDING instituted by the Grievance Committee for the Tenth Judicial District.

The respondent was admitted to the Bar at a term of the Appellate Division of the Supreme Court in the Second Judicial Department on May 1, 2013. Catherine A. Sheridan, Hauppauge, NY (Ann Marie Modica-Schaffer of counsel), for petitioner. PER CURIAM. OPINION & ORDER On April 4, 2025, the Grievance Committee for the Tenth Judicial District served the respondent with a notice of petition and a verified petition, both dated March 18, 2025, and duly filed those papers with this Court together with an affidavit of service.

The petition contains six charges of professional misconduct alleging that the respondent failed to cooperate with five disciplinary investigations by the Grievance Committee, failed to appear or produce documents pursuant to two judicial subpoenas and, thus, engaged in conduct that is prejudicial to the administration of justice, neglected four legal matters entrusted to him, and engaged in conduct that adversely reflects on his fitness as a lawyer, in violation of rules 8.4(d) and (h) and 1.3(b) of the Rules of Professional Conduct (22 NYCRR 1200.0), respectively.

The notice of petition directed the respondent to serve and file his answer to the petition within 20 days after service upon him of the petition. To date, the respondent has neither served nor filed an answer to the petition, as directed, nor requested additional time in which to do so.

The Grievance Committee now moves to deem the charges against the respondent established based upon his default and to impose such discipline upon him as this Court deems appropriate. Although the motion papers were duly served upon the respondent on May 5, 2025, he has neither opposed the instant motion nor interposed any response thereto.

Accordingly, the Grievance Committee's motion to deem the charges against the respondent established based upon his default is granted, the charges in the petition dated March 18, 2025, are deemed established, and, effective immediately, the respondent is disbarred and his name is stricken from the roll of attorneys and counselors-at-law. LASALLE, P.J., DILLON, DUFFY, BARROS, and GOLIA, JJ., concur.

ORDERED that the motion of the Grievance Committee for the Tenth Judicial District to deem the charges in the petition dated March 18, 2025, established is granted; and it is further, ORDERED that pursuant to Judiciary Law § 90, effective immediately, the respondent, Kevin S. Johnson,

admitted as Kevin Scott Johnson, is disbarred, and his name is stricken from the roll of attorneys and counselors-at-law; and it is further, ORDERED that the respondent, Kevin S. Johnson, admitted as Kevin Scott Johnson, shall comply with the rules governing the conduct of disbarred or suspended attorneys (see 22 NYCRR 1240.15); and it is further, ORDERED that pursuant to Judiciary Law § 90, the respondent, Kevin S. Johnson, admitted as Kevin Scott Johnson, shall desist and refrain from (1) practicing law in any form, either as principal or as agent, clerk, or employee of another, (2) appearing as an attorney or counselor-at-law before any court, Judge, Justice, board, commission, or other public authority, (3) giving to another an opinion as to the law or its application or any advice in relation thereto, and (4) holding himself out in any way as an attorney and counselor-at-law; and it is further, ORDERED that if the respondent, Kevin S. Johnson, admitted as Kevin Scott Johnson, has been issued a secure pass by the Office of Court Administration, it shall be returned forthwith to the issuing agency, and the respondent shall certify to the same in his affidavit of compliance pursuant to 22 NYCRR 1240.15(f).

ENTER: Darrell M. Joseph Clerk of the Court