

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