

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

Matter of Conway

2022 N.Y. Slip Op. 04344 (N.Y. Ct. App. 2022) · No. PM-121-22 · Decided July 7, 2022

SUMMARY

The Appellate Division, Third Department granted Richard J. Conway Jr.'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, prohibited him from practicing law in New York, and directed him to surrender any 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; Garry, P.J.; Lynch, J.; Ceresia, J.; Fisher, J.; McShan, J.
JURISDICTION	New York
DECIDED	July 7, 2022
DOCKET	PM-121-22
DISPOSITION	other
PROCEDURAL POSTURE	An attorney applied 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

QUESTIONS PRESENTED

- Whether Conway was eligible to resign from the New York bar for nondisciplinary reasons.
- Whether the court should grant the application and accept Conway's nondisciplinary resignation.

HOLDINGS

1. Conway was eligible to resign from the New York bar for nondisciplinary reasons under the applicable attorney disciplinary rules.
2. The application was granted, Conway's nondisciplinary resignation was accepted, and his name was stricken from the roll of New York attorneys effective immediately and until further order of the court.

KEY QUOTATIONS

*“ORDERED that Richard J. Conway Jr.'s application for permission to resign is granted and his nondisciplinary resignation is accepted” (*1)*

*“Richard J. Conway Jr. is commanded to desist and refrain from the practice of law in any form in the State of New York” (*1)*

FACTUAL BACKGROUND

Richard J. Conway Jr. was admitted to practice by the Appellate Division, Third Department, in 1990 and maintained a business address in New Jersey. He sought to resign from the New York bar for nondisciplinary reasons, and the Attorney Grievance Committee advised that it did not oppose the application.

PROCEDURAL HISTORY

Richard J. Conway Jr., admitted by the Third Department in 1990, 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

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PER CURIAM.

Matter of Conway (2022 NY Slip Op 04344) Matter of Conway 2022 NY Slip Op 04344 Decided on July 7, 2022 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: July 7, 2022 PM-121-22 [*1] In the Matter of Richard J. Conway Jr., an Attorney. (Attorney Registration No. 2365187.) Calendar Date: July 5, 2022 Before: Garry, P.J., Lynch, Ceresia, Fisher and McShan, JJ. Richard J. Conway Jr., Lancaster, Pennsylvania, pro se. Monica A. Duffy, Attorney Grievance Committee for the Third Judicial Department, Albany, for Attorney Grievance Committee for the Third Judicial Department. Per Curiam. Richard J. Conway Jr. was admitted to practice by this Court in 1990 and lists a business address in Florham Park, New Jersey with the Office of Court Administration.

Conway 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) advises that it does not oppose Conway's application. Upon reading Conway's affidavit sworn to May 18, 2022 and filed May 25, 2022, and upon reading the June 29, 2022 correspondence in response by the Chief Attorney for AGC, and having determined that Conway is eligible to resign for nondisciplinary reasons, we grant his application and accept his resignation. Garry, P.J., Lynch, Ceresia, Fisher and McShan, JJ., concur. ORDERED that Richard J. Conway Jr.'s application for permission to resign is granted and his nondisciplinary resignation is accepted; and it is further ORDERED that Richard J. Conway Jr.'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 Attorney Disciplinary Matters [22 NYCRR] § 1240.22 [b]); and it is further ORDERED that Richard J. Conway Jr. 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 Conway 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 Richard J. Conway Jr. shall, within 30 days of the date of this decision, surrender to the Office of Court Administration any Attorney Secure Pass issued to him.