

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

Matter of Whitby

2026 NY Slip Op 03047 · No. PM-102-26 · Decided May 14, 2026

SUMMARY

The Appellate Division, Third Department granted Jessica Susan Soares Whitby's application to resign from the New York bar for nondisciplinary reasons. The court accepted her resignation, struck her name from the roll of attorneys, prohibited her from practicing law in New York, and ordered her 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	Pritzker, J.P.; Ceresia, J.; Powers, J.; Mackey, J.; Ryba, J.
JURISDICTION	New York Appellate Division, Third Department
DECIDED	May 14, 2026
DOCKET	PM-102-26
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

- administrative law
- appellate procedure

PRACTICE AREAS

- attorney discipline
- legal ethics
- bar admission and resignation

QUESTIONS PRESENTED

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

2. What consequences follow from acceptance of a nondisciplinary resignation under 22 NYCRR 1240.22(b).

HOLDINGS

1. An attorney who is determined to be eligible under 22 NYCRR 1240.22(a) may be granted permission to resign from the New York bar for nondisciplinary reasons.
2. Upon acceptance of the nondisciplinary resignation, the attorney's name is stricken from the roll, the attorney must cease practicing or holding herself out as authorized to practice law in New York, and any Attorney Secure Pass must be surrendered within 30 days.

KEY QUOTATIONS

*“ORDERED that Jessica Susan Soares Whitby's application for permission to resign is granted and her nondisciplinary resignation is accepted” (*1)*

*“ORDERED that Jessica Susan Soares Whitby'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” (*1)*

FACTUAL BACKGROUND

Jessica Susan Soares Whitby was admitted to practice by the Appellate Division, Third Department, in 2019 and maintained a business address in Melbourne, Australia with the Office of Court Administration. She sought permission 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

Jessica Susan Soares Whitby, admitted to practice in New York in 2019, submitted an affidavit seeking permission to resign for nondisciplinary reasons. After reviewing the affidavit and the Attorney Grievance Committee's response, the court found her eligible and granted the application.

DISPOSITION

other

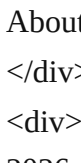
OPINION

Matter of Whitby 2026 NY Slip Op 03047

PER CURIAM.

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Matter of Whitby

2026 NY Slip Op 03047

May 14, 2026

Appellate Division, Third Department

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This decision is uncorrected and subject to revision before publication in the Official Reports.

In the Matter of Jessica Susan Soares Whitby, an Attorney. (Attorney Registration No. 5691274.)

Decided and Entered: May 14, 2026

PM-102-26

Calendar Date: May 11, 2026

Before: Pritzker, J.P., Ceresia, Powers, Mackey And Ryba, JJ.

Jessica Susan Soares Whitby, Melbourne, Australia, 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.

Jessica Susan Soares Whitby was admitted to practice by this Court in 2019 and lists a business address in Melbourne, Australia with the Office of Court Administration. Whitby 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 Whitby's application.

Upon reading Whitby's affidavit sworn to April 14, 2026 and filed April 27, 2026, and upon reading the May 4, 2026 correspondence in response by the Deputy Chief Attorney for AGC, and having determined that Whitby is eligible to resign for nondisciplinary reasons, we grant her application and accept her resignation.

Pritzker, J.P., Ceresia, Powers, Mackey and Ryba, JJ., concur.

ORDERED that Jessica Susan Soares Whitby's application for permission to resign is granted and her nondisciplinary resignation is accepted; and it is further

ORDERED that Jessica Susan Soares Whitby'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 Jessica Susan Soares Whitby 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 Whitby 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 herself out in any way as an attorney and counselor-at-law in this State; and it is further

ORDERED that Jessica Susan Soares Whitby shall, within 30 days of the date of this decision, surrender to the Office of Court Administration any Attorney Secure Pass issued to her.

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PER CURIAM.

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decision is uncorrected and subject to revision before publication in the Official Reports. In the
Matter of Jessica Susan Soares Whitby, an Attorney. (Attorney Registration No. 5691274 .)
Decided and Entered: May 14, 2026 PM-102-26 Calendar Date: May 11, 2026 Before: Pritzker,
J.P., Ceresia, Powers, Mackey And Ryba, JJ. Jessica Susan Soares Whitby, Melbourne, Australia,
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. Jessica Susan Soares Whitby was admitted to practice by this Court
in 2019 and lists a business address in Melbourne, Australia with the Office of Court
Administration. Whitby 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 Whitby's application. Upon reading Whitby's affidavit sworn to April 14, 2026 and filed
April 27, 2026, and upon reading the May 4, 2026 correspondence in response by the Deputy
Chief Attorney for AGC, and having determined that Whitby is eligible to resign for
nondisciplinary reasons, we grant her application and accept her resignation. Pritzker, J.P., Ceresia,
Powers, Mackey and Ryba, JJ., concur. ORDERED that Jessica Susan Soares Whitby's application
for permission to resign is granted and her nondisciplinary resignation is accepted; and it is further
ORDERED that Jessica Susan Soares Whitby'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 Jessica Susan Soares Whitby 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 Whitby 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 herself out
in any way as an attorney and counselor-at-law in this State; and it is further ORDERED that
Jessica Susan Soares Whitby shall, within 30 days of the date of this decision, surrender to the

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