

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