

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

Matter of Cohen

2023 NY Slip Op 03533 (N.Y. Ct. App. 2023) · No. PM-132-23 · Decided June 29, 2023

SUMMARY

The Appellate Division, Third Department granted Robert Bruce Cohen's application to resign from the New York bar for nondisciplinary reasons. The court accepted his resignation, ordered that his name be stricken from the roll of attorneys, prohibited him from practicing law in New York, and required surrender of his Attorney Secure Pass.

CASE DETAILS

COURT	Appellate Division of the Supreme Court of the State of New York, Third Department
WRITING FOR THE COURT	Garry, P.J.; Lynch, J.; Aarons, J.; Reynolds Fitzgerald, J.; Ceresia, J.
JURISDICTION	New York
DECIDED	June 29, 2023
DOCKET	PM-132-23
DISPOSITION	approved
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

appellate procedure

PRACTICE AREAS

attorney discipline professional responsibility bar admission and resignation

QUESTIONS PRESENTED

- Whether Cohen was eligible to resign from the New York bar for nondisciplinary reasons.

2. Whether the court should grant the application, accept the resignation, strike Cohen's name from the roll of attorneys, and prohibit him from practicing law in New York.

HOLDINGS

1. Cohen was eligible to resign from the New York bar for nondisciplinary reasons, and his application for permission to resign was granted.
2. Upon accepting Cohen's nondisciplinary resignation, the court struck his name from the roll of attorneys, prohibited him from practicing law or holding himself out as an attorney in New York, and required him to surrender any Attorney Secure Pass within 30 days.

KEY QUOTATIONS

*“Upon reading Cohen's affidavit sworn to March 30, 2023 and filed May 22, 2023, and upon reading the June 22, 2023 correspondence in response by the Chief Attorney for AGC, and having determined that Cohen is eligible to resign for nondisciplinary reasons, we grant his application and accept his resignation.” (*1)*

FACTUAL BACKGROUND

Robert Bruce Cohen was admitted to practice in New York in 1987 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

Robert Bruce Cohen, admitted to practice by the Third Department in 1987, submitted an affidavit seeking permission to resign for nondisciplinary reasons. After reviewing the affidavit and the Attorney Grievance Committee's response, the court determined that Cohen was eligible and granted the application, accepting his resignation and striking his name from the roll of attorneys.

DISPOSITION

approved

OPINION

PER CURIAM.

Matter of Cohen (2023 NY Slip Op 03533) Matter of Cohen 2023 NY Slip Op 03533 Decided on June 29, 2023 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: June 29, 2023 PM-132-23 [*1] In the Matter of Robert Bruce Cohen, an Attorney.

(Attorney Registration No. 2109296.) Calendar Date: June 26, 2023 Before: Garry, P.J., Lynch, Aarons, Reynolds Fitzgerald and Ceresia, JJ. Robert Bruce Cohen, Bridgewater, New Jersey, 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. Robert Bruce Cohen was admitted to practice by this Court in 1987 and lists a business address in Freehold, New Jersey with the Office of Court Administration.

Cohen 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 Cohen's application. Upon reading Cohen's affidavit sworn to March 30, 2023 and filed May 22, 2023, and upon reading the June 22, 2023 correspondence in response by the Chief Attorney for AGC, and having determined that Cohen is eligible to resign for nondisciplinary reasons, we grant his application and accept his resignation.

Garry, P.J., Lynch, Aarons, Reynolds Fitzgerald and Ceresia, JJ., concur. ORDERED that Robert Bruce Cohen's application for permission to resign is granted and his nondisciplinary resignation is accepted; and it is further ORDERED that Robert Bruce Cohen'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 Robert Bruce Cohen 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 Cohen 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 Robert Bruce Cohen shall, within 30 days of the date of this decision, surrender to the Office of Court Administration any Attorney Secure Pass issued to him.