

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

Matter of McGimpsey

2026 NY Slip Op 01113 · No. PM-32-26 · Decided February 26, 2026

SUMMARY

The Appellate Division, Third Department granted Thomas Oliver McGimpsey’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 effective immediately, prohibited him from practicing law in New York, and ordered 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	Per Curiam; Aarons, J.P.; Pritzker, J.; Reynolds Fitzgerald, J.; Fisher, J.; Mackey, J.
JURISDICTION	New York Appellate Division, Third Department
DECIDED	February 26, 2026
DOCKET	PM-32-26
DISPOSITION	other
PROCEDURAL POSTURE	An attorney petitioned the Appellate Division for permission to resign from the New York bar for nondisciplinary reasons.
PRECEDENTIAL VALUE	Published

TOPICS

appellate procedure

PRACTICE AREAS

attorney discipline professional responsibility bar admission and resignation

QUESTIONS PRESENTED

- Whether McGimpsey was eligible to resign from the New York bar for nondisciplinary reasons under 22 NYCRR 1240.22.

2. Whether the court should grant the application, accept the resignation, strike McGimpsey's name from the roll of attorneys, and impose the consequences specified by the governing rule.

HOLDINGS

1. McGimpsey was eligible to resign from the New York bar for nondisciplinary reasons under 22 NYCRR 1240.22(a).
2. The application was granted and McGimpsey's nondisciplinary resignation was accepted; his name was stricken from the roll of New York attorneys, he was prohibited from practicing law or holding himself out as an attorney in New York, and he was required to surrender any Attorney Secure Pass within 30 days.

KEY QUOTATIONS

*“ORDERED that Thomas Oliver McGimpsey's application for permission to resign is granted and his nondisciplinary resignation is accepted; and it is further ORDERED that Thomas Oliver McGimpsey'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)*

*“Thomas Oliver McGimpsey 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” (*1)*

FACTUAL BACKGROUND

Thomas Oliver McGimpsey was admitted to practice by the Appellate Division, Third Department, in 2014 and maintained a business address in Lake Mary, Florida with the Office of Court Administration. He applied 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

Thomas Oliver McGimpsey, who was admitted to practice by the court in 2014, submitted an affidavit seeking permission to resign for nondisciplinary reasons. The Attorney Grievance Committee for the Third Judicial Department did not oppose the application, and the court determined that McGimpsey was eligible to resign and granted the application.

DISPOSITION

other

OPINION

PER CURIAM.

Matter of McGimpsey (2026 NY Slip Op 01113) Matter of McGimpsey 2026 NY Slip Op 01113
Decided on February 26, 2026 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:February 26, 2026 PM-32-26 [*1]In the Matter of Thomas Oliver McGimpsey, an Attorney.

(Attorney Registration No. 5260740.) Calendar Date:February 23, 2026 Before:Aarons, J.P., Pritzker, Reynolds Fitzgerald, Fisher and Mackey, JJ. Thomas Oliver McGimpsey, Louisville, Colorado, 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.

Per Curiam. Thomas Oliver McGimpsey was admitted to practice by this Court in 2014 and lists a business address in Lake Mary, Florida with the Office of Court Administration. McGimpsey 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 McGimpsey's application. Upon reading McGimpsey's affidavit sworn to January 6, 2026 and filed January 12, 2026, and upon reading the February 17, 2026 correspondence in response by the Deputy Chief Attorney for AGC, and having determined that McGimpsey is eligible to resign for nondisciplinary reasons, we grant his application and accept his resignation.

Aarons, J.P., Pritzker, Reynolds Fitzgerald, Fisher and Mackey, JJ., concur. ORDERED that Thomas Oliver McGimpsey's application for permission to resign is granted and his nondisciplinary resignation is accepted; and it is further ORDERED that Thomas Oliver McGimpsey'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 Thomas Oliver McGimpsey 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 McGimpsey 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 Thomas Oliver McGimpsey shall, within 30 days of the date of this decision, surrender to the Office of Court Administration any Attorney Secure Pass issued to him.