

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

Matter of Kofi O. Amankwaa

2023 NY Slip Op 05664 (Supreme Court of the State of New York Appellate Division First Department 2023) ·
No. 2023-03774 · Decided November 9, 2023

SUMMARY

The Appellate Division, First Department granted the Attorney Grievance Committee's motion to immediately suspend Kofi O. Amankwaa from practicing law. The suspension was based on his failure to answer nine client complaints, provide responsive answers, produce client files, and comply with a judicial subpoena and repeated demands during the disciplinary investigation. The suspension remains effective until further order of the court.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Per Curiam; Anil C. Singh, J.P.; Lizbeth González, J.; Tanya R. Kennedy, J.; Julio Rodriguez III, J.; Bahaati E. Pitt-Burke, J.
JURISDICTION	New York
DECIDED	November 9, 2023
DOCKET	2023-03774
DISPOSITION	other
PROCEDURAL POSTURE	Attorney disciplinary proceeding on the Attorney Grievance Committee's motion for an immediate interim suspension based on respondent's failure to answer complaints, produce client files, and comply with investigative demands and a judicial subpoena.
STANDARD OF REVIEW	Whether the Attorney Grievance Committee met its burden to establish respondent's failure to comply with a lawful demand of the Court or Committee in an attorney disciplinary investigation or proceeding.
PRECEDENTIAL VALUE	Published intermediate appellate opinion; precedential within the First Department subject to applicable New York law.

PARTIES

Attorney Grievance Committee for the First Judicial Department v.
Kofi O. Amankwaa, admitted as Kofi Owusu Amankwaa

TOPICS

immigration

sanctions

civil procedure

PRACTICE AREAS

Attorney discipline

Immigration law

QUESTIONS PRESENTED

1. Whether respondent's repeated failure to answer disciplinary complaints and produce client files constituted a failure to comply with a lawful demand of the Court or Attorney Grievance Committee under 22 NYCRR 1240.9(a)(3).
2. Whether respondent should be immediately suspended from the practice of law until further order of the Appellate Division.

HOLDINGS

1. Respondent failed to comply with lawful demands of the Attorney Grievance Committee by failing to provide responsive answers to nine complaints and failing to produce the requested client files despite repeated directives and a judicial subpoena.
2. The Attorney Grievance Committee's motion was granted, and respondent was suspended from the practice of law effective immediately and until further order of the Court.

KEY QUOTATIONS

"We find that AGC met its burden and respondent should be immediately suspended until further order of this Court." ([*2])

"Respondent therefore 'fail[ed] to comply with a lawful demand of the Court or a Committee in an investigation or proceeding under [the Rules for Attorney Disciplinary Matters]'" ([*2])

FACTUAL BACKGROUND

The Attorney Grievance Committee received nine complaints from respondent's clients or their family members alleging that respondent submitted immigration filings containing fraudulent information, including false domestic-violence allegations. Despite repeated letters, telephone messages, emails, and a judicial subpoena, respondent failed to provide responsive answers and did not produce the requested client files. Respondent appeared for an examination under oath and acknowledged receiving the complaints but did not seek additional time or otherwise comply.

PROCEDURAL HISTORY

The Attorney Grievance Committee received nine complaints alleging fraudulent immigration filings and repeatedly directed respondent to provide answers and client files. Respondent failed to provide responsive answers to the complaints or produce the files despite investigative requests and a judicial subpoena. The Committee moved in the Appellate Division for respondent's immediate suspension under 22 NYCRR 1240.9(a)(3), and respondent did not oppose the motion.

DISPOSITION

other

CASES CITED

- Matter of Tessler, 215 AD3d 61 (1st Dept 2023)
- Matter of Espinoza, 200 AD3d 21 (1st Dept 2021)
- Matter of Greenblum, 199 AD3d 84 (1st Dept 2021)
- Matter of Hoffman, 183 AD3d 61 (1st Dept 2020)
- Matter of Thomas, 155 AD3d 61 (1st Dept 2017)

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