

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

Matter of Christopher John Goodson, an Attorney

2020 NY Slip Op 05278 (App. Div. 2020) · No. PM-125-20 · Decided October 1, 2020

SUMMARY

The Appellate Division, Third Department held that Christopher John Goodson's federal conviction for conspiracy to commit bank fraud was sufficiently analogous to a New York felony to trigger automatic disbarment. The court struck his name from the New York roll of attorneys nunc pro tunc to September 28, 2018, and ordered him to desist from practicing law in the state.

CASE DETAILS

COURT	Appellate Division of the Supreme Court of the State of New York, Third Department
WRITING FOR THE COURT	Per Curiam; Lynch, J.P.; Devine, J.; Pritzker, J.; Reynolds Fitzgerald, J.; Colangelo, J.
JURISDICTION	New York
DECIDED	October 1, 2020
DOCKET	PM-125-20
DISPOSITION	other
PROCEDURAL POSTURE	The Attorney Grievance Committee moved to strike respondent's name from the roll of New York attorneys nunc pro tunc to the filing of his federal guilty plea, asserting that the conviction resulted in automatic disbarment. In the alternative, it sought discipline based on the misconduct underlying respondent's New Jersey suspension.
STANDARD OF REVIEW	The court reviewed the proof submitted in support of the Attorney Grievance Committee's motion to determine whether the foreign felony was essentially similar to a New York felony for purposes of automatic disbarment.
PRECEDENTIAL VALUE	Published opinion; precedential
PARTIES	Attorney Grievance Committee for the Third Judicial Department v. Christopher John Goodson, respondent

TOPICS

administrative law

criminal procedure

appellate procedure

PRACTICE AREAS

attorney discipline

legal ethics

administrative law

criminal procedure

QUESTIONS PRESENTED

1. Whether respondent's federal conviction for conspiracy to commit bank fraud was essentially similar to a New York felony so as to result in automatic disbarment under Judiciary Law § 90(4).
2. Whether respondent's name should be stricken from the New York roll of attorneys nunc pro tunc to September 28, 2018.
3. Whether the court needed to address the Attorney Grievance Committee's alternative request for discipline based on the misconduct underlying respondent's New Jersey suspension.

HOLDINGS

1. A conviction for federal conspiracy to commit bank fraud that is sufficiently comparable to the New York class E felony of scheme to defraud in the first degree warrants automatic disbarment under Judiciary Law § 90(4)(b).
2. Respondent's name must be stricken from the roll of attorneys and counselors-at-law of New York, effective nunc pro tunc to September 28, 2018, the date the guilty plea was filed.
3. The court did not need to address the Attorney Grievance Committee's alternative request for discipline under 22 NYCRR 1240.13 because automatic disbarment was established.

KEY QUOTATIONS

"an attorney convicted of a felony in a foreign jurisdiction that is essentially similar to a New York felony is automatically disbarred"

FACTUAL BACKGROUND

Respondent was admitted to practice law in New York in 1999 and also practiced in New Jersey. He pleaded guilty to federal felony conspiracy to commit bank fraud based on his participation with two coconspirators in a mortgage-loan fraud scheme operated through his law firm. New Jersey suspended him from practice on an interim basis, and the Attorney Grievance Committee sought to strike his name from New York's roll of attorneys nunc pro tunc to the filing of his guilty plea.

PROCEDURAL HISTORY

Respondent pleaded guilty in the United States District Court for the District of New Jersey to federal felony conspiracy to commit bank fraud. New Jersey thereafter suspended him from practicing law on an interim basis pending disciplinary proceedings. The Attorney Grievance Committee moved in the Third Department to confirm respondent's automatic disbarment in New York; the court granted the motion insofar as it sought striking of respondent's name and denied the alternative disciplinary request as unnecessary to decide.

DISPOSITION

other

CASES CITED

- Matter of Butcher, 153 A.D.3d 1127, 1127 (2017)
- Matter of Ferriero, 172 A.D.3d 1698, 1699 (2019)
- Matter of Park, 95 A.D.3d 1648, 1648 (2012)
- Matter of Petiton, 155 A.D.3d 118 (2017)
- Matter of Williams, 148 A.D.3d 269 (2017)
- Matter of Duval, 148 A.D.3d 73 (2017)
- Matter of Merker, 140 A.D.3d 1 (2016)
- Matter of Hand, 164 A.D.3d 1006, 1009 (2018)
- Matter of Goncalves, 161 A.D.3d 1377, 1379 (2018)
- Matter of Goodson, 235 N.J. 329 (2018)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/new-york-appellate-division-of-the-supreme-court-of-the-state-of-new-york-third-department/2020/matter-of-christopher-john-goodson-an-attorney-sy5xppwk>