

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

Matter of Michell

2025 NY Slip Op 07365 · No. PM-294-25 · Decided December 31, 2025

SUMMARY

The Appellate Division, Third Department granted Albert J. Michell’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 him to surrender 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; Garry, P.J.; Clark, J.; Reynolds Fitzgerald, J.; McShan, J.; Powers, J.
JURISDICTION	Appellate Division, Third Department, New York
DECIDED	December 31, 2025
DOCKET	PM-294-25
DISPOSITION	approved
PROCEDURAL POSTURE	Albert J. Michell applied for permission to resign from the New York bar for nondisciplinary reasons. The Attorney Grievance Committee did not oppose the application.
PRECEDENTIAL VALUE	Published
PARTIES	Albert J. Michell v. Attorney Grievance Committee for the Third Judicial Department

TOPICS

appellate procedure

PRACTICE AREAS

attorney discipline bar admission and resignation professional responsibility

QUESTIONS PRESENTED

1. Whether Albert J. Michell 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. Michell was eligible to resign from the New York bar for nondisciplinary reasons, and his application for permission to resign was granted.
2. Upon acceptance of Michell's nondisciplinary resignation, 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.

FACTUAL BACKGROUND

Albert J. Michell was admitted to practice law by the Appellate Division, Third Department, in 2005 and maintained a business address in Pennsylvania with the Office of Court Administration. He sought to resign from the New York bar for nondisciplinary reasons. The Attorney Grievance Committee advised that it did not oppose the application.

PROCEDURAL HISTORY

Michell submitted an affidavit sworn to November 14, 2025, filed November 21, 2025, seeking nondisciplinary resignation. After reviewing the affidavit and the Attorney Grievance Committee's December 23, 2025 response, the Appellate Division determined that Michell was eligible to resign and granted the application.

DISPOSITION

approved

OPINION

Matter of Michell 2025 NY Slip Op 07365

PER CURIAM.

Matter of Michell (2025 NY Slip Op 07365) Matter of Michell 2025 NY Slip Op 07365 Decided on December 31, 2025 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:December 31, 2025 PM-294-25 [*1]In the Matter of Albert J. Michell, an Attorney. (Attorney Registration No. 4352787 .) Calendar Date:December 29, 2025 Before:Garry, P.J., Clark, Reynolds Fitzgerald, McShan and Powers, JJ. Albert J. Michell, Wyndmoor, Pennsylvania, 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. Albert J. Michell was admitted to practice by this Court in 2005 and lists a business address in Philadelphia, Pennsylvania with the Office of Court Administration. Michell 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 Michell's application. Upon reading Michell's affidavit sworn to November 14, 2025 and filed November 21, 2025, and upon reading the December 23, 2025 correspondence in response by the Deputy Chief Attorney for AGC, and having determined that Michell is eligible to resign for nondisciplinary reasons, we grant his application and accept his resignation. Garry, P.J., Clark, Reynolds Fitzgerald, McShan and Powers, JJ., concur. ORDERED that Albert J. Michell's application for permission to resign is granted and his nondisciplinary resignation is accepted; and it is further ORDERED that Albert J. Michell'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 Albert J. Michell 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 Michell 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 Albert J. Michell shall, within 30 days of the date of this decision, surrender to the Office of Court Administration any Attorney Secure Pass issued to him.