

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department

Decided and Entered: August 18, 2016

D-47-16

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In the Matter of ANONYMOUS, an  
Applicant for Admission to  
the Bar.

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MEMORANDUM AND ORDER

Calendar Date: June 23, 2016

Before: McCarthy, J.P., Garry, Egan Jr., Rose and Lynch, JJ.

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Per Curiam.

Applicant passed the July 2014 New York State bar exam and the State Board of Law Examiners certified him for admission to this Court (see Rules of Ct of Appeals [22 NYCRR] § 520.7). This Court's Committee on Character and Fitness has completed its investigation of applicant's application for admission, including a personal interview of applicant (see Rules of App Div, 3d Dept [22 NYCRR] § 805.1).

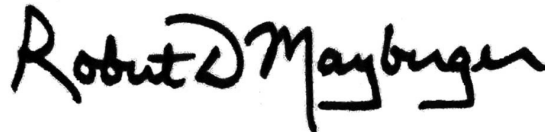
Applicant resides and works in Florida. He graduated from college (in 2008) and law school (in 2013) in Florida. Applicant has disclosed a 2004 arrest for drinking in public, a 2008 arrest for driving under the influence and marihuana possession, a 2009 arrest for driving under the influence, and a 2011 arrest for driving under the influence, the latter resulting in applicant's felony conviction in Florida in May 2013. Applicant confirms that, as a result of his felony conviction, he is ineligible to apply for admission in Florida until his civil rights can be restored in that state, i.e., May 2019 (see Rules of the Supreme Court of Florida 2-13.3).

We conclude that applicant does not presently possess the character and general fitness requisite for an attorney and counselor-at-law and we therefore deny the application (see Judiciary Law § 90 [1] [a]).

McCarthy, J.P., Garry, Egan Jr., Rose and Lynch, JJ.,  
concur.

ORDERED that the application for admission is denied.

ENTER:

A handwritten signature in black ink that reads "Robert D. Mayberger". The signature is written in a cursive, slightly slanted style.

Robert D. Mayberger  
Clerk of the Court