

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

Decided and Entered: July 13, 2017

D-132-17

---

In the Matter of ATTORNEYS  
IN VIOLATION OF JUDICIARY  
LAW § 468-a.

COMMITTEE ON PROFESSIONAL  
STANDARDS, Now Known as  
ATTORNEY GRIEVANCE COMMITTEE  
FOR THE THIRD JUDICIAL  
DEPARTMENT,

MEMORANDUM AND ORDER  
ON MOTION

Petitioner;

MIGUEL ENRIQUEZ,

Respondent.

(Attorney Registration No. 4155149)

---

Calendar Date: May 30, 2017

Before: Peters, P.J., Garry, Clark, Mulvey and Aarons, JJ.

---

Monica A. Duffy, Attorney Grievance Committee for the Third  
Judicial Department, Albany, for petitioner.

Miguel Enriquez, Uster, Switzerland, respondent pro se.

---

Per Curiam.

Respondent was admitted to practice by this Court in 2003 and lists a business address in Uster, Switzerland with the Office of Court Administration. By 2014 order, this Court suspended respondent from the practice of law in New York due to conduct prejudicial to the administration of justice arising from his failure to comply with the attorney registration requirements

of Judiciary Law § 468-a and Rules of the Chief Administrator of the Courts (22 NYCRR) § 118.1 (113 AD3d 1020, 1055 [2014]; see Judiciary Law § 468-a [5]; Rules of Professional Conduct [22 NYCRR 1200.0] rule 8.4 [d]). By correspondence to this Court, respondent has requested his reinstatement (see Uniform Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.16 [a]; Rules of App Div, 3d Dept [22 NYCRR] § 806.16 [a]) and, by correspondence from its Chief Attorney, petitioner objects to respondent's request.

In addition to other requirements (see Matter of Edelstein, 150 AD3d 1531 [2017]; Uniform Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.16 [a]), an applicant for reinstatement must, as a threshold matter, support his or her application with certain required documentation (see Uniform Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.16 [b]). Here, respondent failed to submit a sworn affidavit as has been consistently required by this Court and is now mandated by the Uniform Rules for Attorney Disciplinary Matters.<sup>1</sup> Further, the statements provided in respondent's correspondence are unsworn, not executed before a notary or other officer and give no assurance that they were made in contemplation of their legal significance (see Matter of Lee, 148 AD3d 1454 [2017]). Accordingly, under the circumstances presented, we cannot excuse the defects in respondent's application, and it must therefore be denied (see id.).

Peters, P.J., Garry, Clark, Mulvey and Aarons, JJ., concur.

---

<sup>1</sup> Respondent has not answered correspondence from petitioner notifying him of the deficiencies in his application.

ORDERED that respondent's motion for reinstatement 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