

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

Decided and Entered: March 1, 2018

D-23-18

In the Matter of JENNIFER ANNE
COTTELL, an Attorney.

MEMORANDUM AND ORDER
ON MOTION

(Attorney Registration No. 2653376)

Calendar Date: February 5, 2018

Before: Garry, P.J., McCarthy, Lynch, Clark and Aarons, JJ.

Jennifer Anne Cottell, Metuchen, New Jersey, pro se.

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

Per Curiam.

Jennifer Anne Cottell was admitted to practice by this
Court in 1995 and lists a business address in Metuchen, New
Jersey with the Office of Court Administration. Cottell now
seeks leave to resign from the New York bar for nondisciplinary
reasons (see Rules for Attorney Disciplinary Matters [22 NYCRR]
§ 1240.22 [a]). The Attorney Grievance Committee for the Third
Judicial Department (hereinafter AGC) opposes the application by
correspondence from its Chief Attorney.

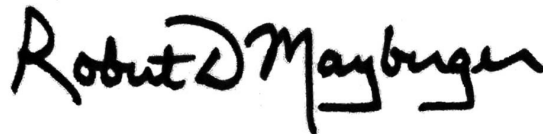
As is noted by AGC, Cottell is presently delinquent in her
New York attorney registration requirements, having failed to
register for two consecutive biennial periods beginning in 2015
(see Judiciary Law § 468-a; Rules of the Chief Admin of Cts [22
NYCRR] § 118.1). Inasmuch as Cottell is therefore subject to
potential disciplinary action (see Judiciary Law § 468-a [5];
Rules of Professional Conduct [22 NYCRR 1200.0] rule 8.4 [d]; see

also Matter of Attorneys in Violation of Judiciary Law § 468-a, 113 AD3d 1020, 1021 [2014]), she is ineligible for nondisciplinary resignation and her application must be denied (see Matter of Seitz, 155 AD3d 1300, 1301 [2017]; Matter of Cluff, 148 AD3d 1346, 1346 [2017]). Further, any future application by Cottell must be supported by proof of her full satisfaction of the requirements of Judiciary Law § 468-a and Rules of the Chief Administrator of the Courts (22 NYCRR) § 118.1 (see Matter of Frank, 146 AD3d 1228, 1228-1229 [2017]).

Garry, P.J., McCarthy, Lynch, Clark and Aarons, JJ.,
concur.

ORDERED that Jennifer Anne Cottell's application for permission to resign 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