

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

Decided and Entered: April 12, 2018

D-47-18

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In the Matter of KAREN GAY  
CASTANEDA, an Attorney.

MEMORANDUM AND ORDER  
ON MOTION

(Attorney Registration No. 4428926)

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Calendar Date: April 2, 2018

Before: Egan Jr., J.P., Lynch, Mulvey, Rumsey and Pritzker, JJ.

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Karen Gay Castaneda, Boston, Massachusetts, pro se.

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

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Per Curiam.

Karen Gay Castaneda was admitted to practice by this Court in 2006 and lists a business address in Boston, Massachusetts with the Office of Court Administration. Castaneda 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.

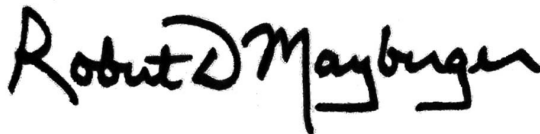
As is noted by AGC, Castaneda is presently delinquent in her New York attorney registration requirements, having failed to register for three consecutive biennial periods beginning in 2012 (see Judiciary Law § 468-a; Rules of the Chief Admin of Cts [22 NYCRR] § 118.1). Inasmuch as Castaneda is therefore 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 Cluff, 148 AD3d 1346, 1346 [2017]; Matter of Bomba, 146 AD3d 1226, 1226-1227 [2017]). Further, any future application by Castaneda 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]).

Egan Jr., J.P., Lynch, Mulvey, Rumsey and Pritzker, JJ.,  
concur.

ORDERED that Karen Gay Castaneda's application for permission to resign is denied.

ENTER:

A handwritten signature in black ink, reading "Robert D. Mayberger". The signature is written in a cursive, flowing style with a large, prominent "R" and "M".

Robert D. Mayberger  
Clerk of the Court