

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

Decided and Entered: July 20, 2017

D-145-17

In the Matter of ALAN MICHAEL
TABOADA, an Attorney.

MEMORANDUM AND ORDER
ON MOTION

(Attorney Registration No. 4226494)

Calendar Date: July 10, 2017

Before: Garry, J.P., Egan Jr., Rose, Mulvey and Rumsey, JJ.

Alan Michael Taboada, Oceanport, 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.

Alan Michael Taboada was admitted to practice by this Court
in 2004 and lists a business address in Shrewsbury, New Jersey
with the Office of Court Administration. Taboada now seeks leave
to resign from the New York bar for nondisciplinary reasons (see
Uniform 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.

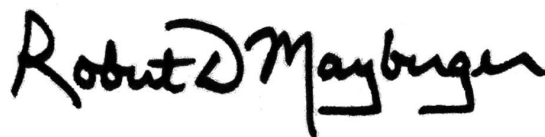
As is noted by AGC, Taboada is presently not current in his
New York attorney registration requirements, having failed to
register for the biennial period beginning in 2016 (see Judiciary
Law § 468-a; Rules of the Chief Admin of Cts [22 NYCRR] § 118.1).
Inasmuch as Taboada is therefore subject to potential
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]; Matter of Arms, 251 AD2d 743, 743-744 [1998]; Matter of Ryan, 238 AD2d 713, 713-714 [1997]; Matter of Farley, 205 AD2d 874, 874-875 [1994]), he is ineligible for nondisciplinary resignation and his 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 Taboada must be supported by proof of his 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, J.P., Egan Jr., Rose, Mulvey and Rumsey, JJ.,
concur.

ORDERED that Alan Michael Taboada'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