

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

Decided and Entered: March 23, 2017

D-36-17

In the Matter of JONATHAN DAVID
BENNETT, an Attorney.

MEMORANDUM AND ORDER
ON MOTION

(Attorney Registration No. 2478279)

Calendar Date: March 13, 2017

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

Jonathan David Bennett, Cherry Hill, 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.

Jonathan David Bennett was admitted to practice by this
Court in 1992 and lists a business address in Camden, New Jersey
with the Office of Court Administration. Bennett now applies for
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) advises that it opposes
Bennett's application due to its improper form.

Notwithstanding AGC's objections, however, we find that
Bennett properly submitted a sworn affidavit. In the opening
statement of his affidavit, Bennett acknowledges having "first
been duly sworn," and he later executed the affidavit before a
notary public who certified that Bennett personally signed the
affidavit in her presence. Accordingly, under the circumstances
presented, we are assured that Bennett understood the legal

significance of the statements set forth in his affidavit, as well as his obligation to tell the truth (see Collins v AA Truck Renting Corp., 209 AD2d 363 [1994]). Mindful that AGC advances no substantive objection to Bennett's application, and having determined that he is eligible to resign for nondisciplinary reasons, we grant the application and accept his resignation

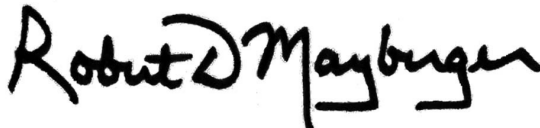
McCarthy, J.P., Lynch, Devine, Clark and Aarons, JJ.,
concur.

ORDERED that Jonathan David Bennett's application for permission to resign is granted and his nondisciplinary resignation is accepted; and it is further

ORDERED that Jonathan David Bennett's name is hereby stricken from the roll of attorneys and counselors-at-law of the State of New York, effective immediately, and until further order of this Court (see generally Uniform Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.22 [b]); and it is further

ORDERED that Jonathan David Bennett shall, within 30 days of the date of this decision, surrender to the Office of Court Administration any Attorney Secure Pass issued to him.

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