

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

Decided and Entered: August 2, 2018

D-95-18

In the Matter of WILLIAM A. HICKS
III, an Attorney.

MEMORANDUM AND ORDER
ON MOTION

(Attorney Registration No. 1582220)

Calendar Date: July 30, 2018

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

William A. Hicks III, Paradise Valley, Arizona, 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.

William A. Hicks III was admitted to practice by this Court
in 1967 and lists a business address in Phoenix, Arizona with the
Office of Court Administration. Hicks 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, Hicks is presently not current in his
New York attorney registration requirements, having failed to
timely register for the biennial period beginning in 2018 (see
Judiciary Law § 468-a; Rules of the Chief Admin of Cts [22 NYCRR]
§ 118.1). Inasmuch as Hicks 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]), 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 Hicks 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]).

McCarthy, J.P., Egan Jr., Lynch, Devine and Clark, JJ.,
concur.

ORDERED that William A. Hicks III'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