

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

Decided and Entered: November 25, 2020

PM-159-20

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In the Matter of ATTORNEYS IN  
VIOLATION OF JUDICIARY  
LAW § 468-a.

COMMITTEE ON PROFESSIONAL  
STANDARDS, Now Known as  
ATTORNEY GRIEVANCE COMMITTEE  
FOR THE THIRD JUDICIAL  
DEPARTMENT,

MEMORANDUM AND ORDER  
ON MOTION

Petitioner;

SEAN GARRETT HERMANSON,  
Respondent.

(Attorney Registration No. 2969590)

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Calendar Date: October 26, 2020

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

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

Sean Garrett Hermanson, San Marcos, California, respondent  
pro se.

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Per Curiam.

Respondent was admitted to practice by this Court in 1999.  
He is also admitted to practice in California, where he  
presently lists a business address with the Office of Court  
Administration. By January 2014 order, this Court suspended

respondent from the practice of law in New York for conduct prejudicial to the administration of justice arising from his noncompliance with the attorney registration requirements of Judiciary Law § 468-a and Rules of the Chief Administrator of the Courts (22 NYCRR) § 118.1, commencing in 2005 (Matter of Attorneys in Violation of Judiciary Law § 468, 113 AD3d 1020, 1035 [2014]; see Judiciary Law § 468-a [5]; Rules of Professional Conduct [22 NYCRR 1200.0] rule 8.4 [d]). Respondent cured his registration delinquency in June 2020 and now moves for his reinstatement in New York (see Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.16 [a]; Rules of App Div, 3d Dept [22 NYCRR] § 806.16 [a]). Noting certain omissions in respondent's submission, petitioner advises that it opposes respondent's application.<sup>1</sup>

Initially, we find that respondent has submitted the necessary documentation in support of his application (see Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.16 [b]; part 1240, appendix C). Given the length of his suspension, respondent properly submits a sworn affidavit in the proper form set forth in appendix C to the Rules for Attorney Disciplinary Matters (22 NYCRR) part 1240 (see Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.16 [b]). Respondent has also submitted sufficient threshold documentation in support of his application, including proof that he successfully completed the Multistate Professional Responsibility Examination, as is required for all attorneys seeking reinstatement following suspensions of six months or more (see Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.16 [b]; compare Matter of Attorneys in Violation of Judiciary Law § 468-a [Castle], 161 AD3d 1443, 1444 [2018]).

Notably, the submitted materials sufficiently establish, by clear and convincing evidence, respondent's compliance with the order of suspension and the Rules of this Court (see Matter of Attorneys in Violation of Judiciary Law § 468-a [Pratt], 186 AD3d 965, 966-967 [2020]). Moreover, inasmuch as respondent has

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<sup>1</sup> Finding no open claims against respondent, the Lawyers' Fund for Client Protection advises that it does not oppose his reinstatement to the practice of law.

additionally demonstrated that he possesses the requisite character and fitness for the practice of law and that it would be in the public's interest to reinstate him to the practice of law in New York (see Matter of Attorneys in Violation of Judiciary Law § 468-a [Wilson], 186 AD3d 1874, 1875 [2020]; Matter of Attorneys in Violation of Judiciary Law § 468-a [Mahoney], 179 AD3d 1352, 1353 [2020]; Matter of Attorneys in Violation of Judiciary Law § 468-a [Sauer], 178 AD3d 1191, 1193 [2019]), we grant respondent's motion and reinstate him to the practice of law in New York, effective immediately.

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

ORDERED that respondent's motion is granted; and it is further

ORDERED that respondent is reinstated as an attorney and counselor-at-law in the State of New York, effective immediately.

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