

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

Decided and Entered: December 4, 2025

PM-276-25

In the Matter of EUGENE H.
GILMARTIN, an Attorney.

MEMORANDUM AND ORDER
ON MOTION

(Attorney Registration No. 1991314)

Calendar Date: November 24, 2025

Before: Pritzker, J.P., Fisher, McShan, Powers and Mackey, JJ.

Eugene H. Gilmartin, Treasure Island, Florida, pro se.

Monica A. Duffy, Attorney Grievance Committee for the Third Judicial Department, Albany (*Alison M. Coan* of counsel), for Attorney Grievance Committee for the Third Judicial Department.

Per Curiam.

Eugene H. Gilmartin was admitted to practice by this Court in 1985 and lists a business address in Treasure Island, Florida with the Office of Court Administration. Gilmartin has applied to this Court, by affidavit sworn to July 21, 2025, for leave to resign from the New York bar for nondisciplinary reasons (*see* Rules for Atty Disciplinary Matters [22 NYCRR] § 1240.22 [a]). The Attorney Grievance Committee for the Third Judicial Department (hereinafter AGC) opposes the application, contending that Gilmartin is ineligible for nondisciplinary resignation because he has failed to fulfill his attorney registration requirements for the most recent biennial period beginning in 2025 (*see* Judiciary Law § 468-a; *Matter of Lee*, 148 AD3d 1350, 1350 [3d Dept 2017]; *Matter of Bomba*, 146 AD3d 1226, 1226-1227 [3d Dept 2017]; Rules of Chief Admr of Cts [22 NYCRR] § 118.1).

A review of the Office of Court Administration records establishes that Gilmartin has duly registered and cured any preexisting registration delinquency. Accordingly, with AGC voicing no other substantive objection to his application, and having determined that Gilmartin is now eligible to resign for nondisciplinary reasons (*compare Matter of Tierney*, 148 AD3d 1457, 1458 [3d Dept 2017]; *Matter of Bomba*, 146 AD3d at 1227), we grant the application and accept his resignation.

Pritzker, J.P., Fisher, McShan, Powers and Mackey, JJ., concur.

ORDERED that Eugene H. Gilmartin's application for permission to resign is granted and his nondisciplinary resignation is accepted; and it is further

ORDERED that Eugene H. Gilmartin'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* Rules for Atty Disciplinary Matters [22 NYCRR] § 1240.22 [b]); and it is further

ORDERED that Eugene H. Gilmartin is commanded to desist and refrain from the practice of law in any form in the State of New York, either as principal or as agent, clerk or employee of another; and Gilmartin is hereby forbidden to appear as an attorney or counselor-at-law before any court, judge, justice, board, commission or other public authority, or to give to another an opinion as to the law or its application, or any advice in relation thereto, or to hold himself out in any way as an attorney and counselor-at-law in this State; and it is further

ORDERED that Eugene H. Gilmartin 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, flowing style with a large initial "R" and a stylized "D".

Robert D. Mayberger
Clerk of the Court