

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

Decided and Entered: December 11, 2025

PM-280-25

In the Matter of ANDREW MARTIN
GSCHWIND, an Attorney.

MEMORANDUM AND ORDER
ON MOTION

(Attorney Registration No. 2823250)

Calendar Date: December 8, 2025

Before: Reynolds Fitzgerald, J.P., Ceresia, Fisher, McShan and Mackey, JJ.

Andrew Martin Gschwind, Morgan Hill, California, 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.

Andrew Martin Gschwind was admitted to practice by this Court in 1997 and lists a business address in San Jose, California with the Office of Court Administration. Gschwind now seeks 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 based on responses provided in Gschwind's application.

Upon reading the December 4, 2025 correspondence by the Deputy Chief Attorney for AGC, which indicates that it withdraws its objection to Gschwind's application, and having determined that Gschwind is eligible to resign for nondisciplinary reasons, we grant his application and accept his resignation.

Reynolds Fitzgerald, J.P., Ceresia, Fisher, McShan and Mackey, JJ., concur.

ORDERED that Andrew Martin Gschwind's application for permission to resign is granted and his nondisciplinary resignation is accepted; and it is further

ORDERED that Andrew Martin Gschwind'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 Andrew Martin Gschwind 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 Gschwind 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 Andrew Martin Gschwind 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, reading "Robert D. Mayberger". The signature is written in a cursive, flowing style with a large, stylized "R" and "M".

Robert D. Mayberger
Clerk of the Court