

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

D24199  
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A. GAIL PRUDENTI, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
ROBERT A. SPOLZINO  
JOHN M. LEVENTHAL, JJ.

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2009-01823

OPINION & ORDER

In the Matter of Sandra Fernandez, an attorney and  
counselor-at-law.

Grievance Committee for the Second, Eleventh, and  
Thirteenth Judicial Districts, petitioner; Sandra  
Fernandez, respondent.

(Attorney Registration No. 4081956)

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Motion by the Grievance Committee for the Second, Eleventh, and Thirteenth Judicial Districts to strike the respondent's name from the roll of attorneys and counselors-at-law, pursuant to Judiciary Law § 90(4), upon her felony conviction. The respondent was admitted to the Bar at a term of the Appellate Division of the Supreme Court in the Second Judicial Department on May 7, 2003.

Diana Maxfield Kearsse, Brooklyn, N.Y. (Diana J. Szochet of counsel), for petitioner.

Richard E. Grayson, White Plains, N.Y., for respondent.

August 25, 2009

MATTER OF FERNANDEZ, SANDRA

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PER CURIAM.

On October 23, 2008, the respondent was convicted in the Supreme Court, Kings County, upon her plea of guilty, before the Honorable Guy Mangano, Jr., of eight counts of offering a false instrument for filing, in violation of Penal Law § 175.35, a class E felony, and eight counts of official misconduct, in violation of Penal Law § 195.00, a class A misdemeanor. She was sentenced on December 12, 2008, to concurrent terms of probation of five years on each count of offering a false instrument for filing and three years on each count of official misconduct.

The Grievance Committee for the Second, Eleventh, and Thirteenth Judicial Districts (hereinafter the Grievance Committee) now moves to strike the respondent's name from the roll of attorneys and counselors-at-law pursuant to Judiciary Law § 90(4)(b) based upon her felony conviction.

The respondent's counsel submitted a reply affirmation noting that the respondent does not oppose the Grievance Committee's motion.

By virtue of her felony conviction, the respondent ceased to be an attorney and counselor-at-law pursuant to Judiciary Law § 90(4), and was automatically disbarred on October 23, 2008. Accordingly, the Grievance Committee's motion to strike the respondent's name from the roll of attorneys and counselors-at-law is granted, effective October 23, 2008, and the respondent's name is stricken from the roll of attorneys based on her disbarment.

PRUDENTI, P.J., MASTRO, RIVERA, SPOLZINO and LEVENTHAL, JJ., concur.

ORDERED that pursuant to Judiciary Law § 90(4)(a), the respondent, Sandra Fernandez, is disbarred, effective October 23, 2008, and her name is stricken from the roll of attorneys and counselors-at-law, pursuant to Judiciary Law § 90(4)(b); and it is further,

ORDERED that the respondent, Sandra Fernandez, shall comply with this Court's rules governing the conduct of disbarred, suspended, and resigned attorneys (*see* 22 NYCRR 691.10); and it is further,

ORDERED that pursuant to Judiciary Law § 90, the respondent, Sandra Fernandez, is commanded to desist and refrain from (1) practicing law in any form, either as principal or as agent, clerk, or employee of another, (2) appearing as an attorney or counselor-at-law before any court, Judge, Justice, board, commission, or other public authority, (3) giving to another an opinion as to the law or its application or any advice in relation thereto, and (4) holding herself out in any way as an attorney and counselor-at-law; and its is further,

ORDERED that if the respondent, Sandra Fernandez, has been issued a secure pass by the Office of Court Administration, it shall be returned forthwith to the issuing agency and the respondent shall certify to the same in her affidavit of compliance pursuant to 22 NYCRR 691.10(f).

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court