

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

M72488
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A. GAIL PRUDENTI, P.J.
REINALDO E. RIVERA
ROBERT A. SPOLZINO
PETER B. SKELOS
ANITA R. FLORIO, JJ.

1999-05505

DECISION & ORDER ON MOTION
FOR REINSTATEMENT

In the Matter of J. Kevin Meneilly, admitted
as James Kevin Meneilly, a disbarred attorney.

(Registration No. 1582055)

Motion by the respondent for reinstatement to the Bar as an attorney and counselor-at-law. The respondent was admitted to the Bar at a term of the Appellate Division of the Supreme Court in the Second Judicial Department on December 16, 1959, under the name James Kevin Meneilly. By decision and order on motion of this court dated October 27, 1999, the respondent was immediately suspended from the practice of law, upon being found guilty of a serious crime, conspiracy to defraud the United States, in violation of 18 USC §371 (2 counts), making false statements on income tax returns in violation of 26 USC §7202(1) (2 counts), and aiding tax fraud in violation of 26 USC §7206(2), and was directed to apprise the court upon being sentenced therefor. On September 6, 2000, he was sentenced to 57 months imprisonment on the tax conspiracy counts and 36 months imprisonment on the charges involving tax fraud and false statements, with the terms to run concurrent. In addition, he was directed to make restitution in the sum of \$40,000. By opinion and order of this court dated December 26, 2000, he was disbarred, pursuant to Judiciary Law §90(4), upon a finding that his conviction of aiding tax fraud, in violation of 26 USC §7602(2), was essentially similar to the New York State felony of offering a false instrument for filing in the first degree, Penal Law §175.25. By decision and order on motion of this court dated April 23, 2001, upon reargument, the opinion and order dated December 26, 2000, was recalled and vacated, the respondent was immediately suspended from the practice of law upon his conviction of a serious crime, the Grievance Committee for the Tenth Judicial District was authorized to institute and prosecute a disciplinary hearing, and the matter was referred to the Honorable Joseph A. Esquirol, as Special Referee to hear and report. By opinion and order dated May 13, 2002, the respondent's resignation was accepted, he was disbarred and his name was stricken from the roll of attorneys and counselors-at-law, effective immediately.

July 2, 2008

MATTER OF MENEILLY, J. KEVIN

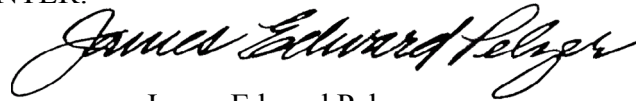
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Upon the papers submitted in support of the motion and the papers submitted in relation thereto, it is

ORDERED that the motion is denied as premature.

PRUDENTI, P.J., RIVERA, SPOLZINO, SKELOS and FLORIO, JJ., concur.

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