

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

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K/cb

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
ROBERT A. SPOLZINO
PETER B. SKELOS, JJ.

2008-04711

DECISION & ORDER
VOLUNTARY RESIGNATION

In the Matter of James A. DePeyster, Jr.,
admitted as James Abercrombie DePeyster, Jr.,
an attorney and counselor-at-law.

(Attorney Registration No. 1241389)

James A. DePeyster, Jr. has voluntarily submitted an affidavit dated May 20, 2008, wherein he resigns from the New York State Bar. Mr. DePeyster, Jr. was admitted to the Bar in the State of New York at a term of the Appellate Division of the Supreme Court in the Second Judicial Department on June 21, 1967, under the name James Abercrombie DePeyster, Jr.. There are no complaints or charges of professional misconduct pending against him. Although Mr. DePeyster, Jr. presently resides in New York, he does not practice law in New York, and under these circumstances, does not wish to pay the biennial registration fee.

Upon the papers submitted in support of the resignation, it is

ORDERED that the voluntary resignation of James A. DePeyster, Jr. is accepted and directed to be filed; and it is further,

ORDERED that the name of James A. DePeyster, Jr. is removed from the roll of attorneys and counselors-at-law in the State of New York, without prejudice to an application for reinstatement; and it is further,

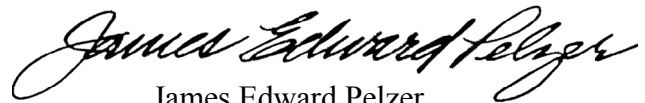
ORDERED that pursuant to Judiciary Law § 90, effective immediately, James A. DePeyster, Jr. is commanded to desist and refrain from (1) practicing law in any form, either as principal or as agent, clerk, or employee of another in the State of New York, (2) appearing as an attorney or counselor-at-law before any court, Judge, Justice, board, commission, or other public

authority in this State, (3) giving to another an opinion as to the law or its application or any advice in relation thereto in this State, and (4) holding himself out in any way as an attorney and counselor-at-law in the State of New York; and it is further,

ORDERED that if James A. DePeyster, Jr. has been issued a secure pass by the Office of Court Administration, it shall be returned forthwith to the issuing agency.

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

ENTER:

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

James Edward Pelzer
Clerk of the Court