

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

M90298  
E/nl

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

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2009-01772

In the Matter of Jorge Avitia,  
an attorney and counselor-at-law.

DECISION & ORDER  
VOLUNTARY RESIGNATION

(Attorney Registration No. 4489407)

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Jorge Avitia has voluntarily submitted an affidavit dated February 4, 2009, wherein he resigns from the New York State Bar. Mr. Avitia 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 May 16, 2007. There are no complaints or charges of professional misconduct pending against him. Mr. Avitia presently resides in New Mexico, 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 Jorge Avitia is accepted and directed to be filed; and it is further,

ORDERED that the name of Jorge Avitia 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, Jorge Avitia 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,

August 3, 2009

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ORDERED that if Jorge Avitia 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, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court