

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

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A. GAIL PRUDENTI, P.J.
HOWARD MILLER
ROBERT W. SCHMIDT
STEPHEN G. CRANE
JOSEPH COVELLO, JJ.

2006-09234

OPINION & ORDER

In the Matter of Tina Fellows,
an attorney and counselor-at-law.

Grievance Committee for the Second and
Eleventh Judicial Districts, petitioner;
Tina Fellows, respondent.

(Attorney Registration No. 4188686)

Motion by the Grievance Committee for the Second and Eleventh 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 conviction of a felony. The respondent was admitted to the Bar at a term of the Appellate Division of the Supreme Court in the Second Judicial Department on January 14, 2004.

Diana Maxfield Kearse, Brooklyn, New York, for petitioner.

Tina Fellows, Jericho, New York, respondent pro se.

PER CURIAM.

On January 20, 2006, the respondent entered a plea of guilty before the Honorable Ralph Gazzillo in the County Court, Suffolk County, to two counts of

March 6, 2007

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grand larceny in the second degree, in violation of Penal Law § 155.40, a class C felony, and one count of scheme to defraud in the first degree, in violation of Penal Law § 190.65, a class E felony. With respect to count one, the respondent acknowledged that between March 26, 2003, and July 30, 2005, while acting in concert with others, including Mitchell Simms and Scott Simms, she stole approximately \$130,000 from Niza Mario by causing the fraudulent transfer of a deed to her property to Pauline Simms. With respect to count two, the respondent acknowledged that between April 1, 2003, and August 1, 2003, while acting in concert with others, including Mitchell Simms and Scott Simms, she stole approximately \$100,186 from Eugene Ungerer by causing the fraudulent transfer of a deed to his home to herself. With respect to count three, the respondent acknowledged that between approximately March 26, 2003, and August 1, 2003, she engaged in a scheme constituting a systematic, ongoing course of conduct with the intent to defraud more than one person or to obtain property of more than one person, causing fraudulent representations or promises by engaging in the practice of fraudulent mortgage transfer.

The respondent failed to report her conviction of the above-mentioned felonies to the court as required by Judiciary Law § 90(4)(c).

By virtue of her felony convictions, the respondent ceased to be an attorney and was automatically disbarred pursuant to Judiciary Law § 90(4)(a).

Pursuant to Judiciary Law § 90(4), an attorney who has been convicted of a New York State felony is disbarred by operation of law. Accordingly, the Grievance Committee's motion to strike the respondent's name from the roll of attorneys is granted, without opposition.

PRUDENTI, P.J., MILLER, SCHMIDT, CRANE and COVELLO, JJ., concur.

ORDERED that pursuant to Judiciary Law § 90, effective immediately, the respondent, Tina Fellows, is disbarred and her name is stricken from the roll of attorneys and counselors-at-law; and it is further,

ORDERED that the respondent, Tina Fellows, 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, effective immediately, Tina Fellows, is commanded to desist and refrain from (l) 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 it is further,

ORDERED that if the respondent, Tina Fellows, 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).

PRUDENTI, P.J., MILLER, SCHMIDT, CRANE and COVELLO, 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