

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

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ALAN D. SCHEINKMAN, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
MARK C. DILLON  
BETSY BARROS, JJ.

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2017-11722

OPINION & ORDER

In the Matter of Gerard Terry, an attorney and  
counselor-at-law.

Grievance Committee for the Tenth Judicial District,  
petitioner; Gerard Terry, respondent.

(Attorney Registration No. 2128429)

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MOTION by the Grievance Committee for the Tenth Judicial District to strike the respondent's name from the roll of attorneys and counselors-at-law, pursuant to Judiciary Law § 90(4)(b), based upon his 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 September 24, 1986.

Catherine A. Sheridan, Hauppauge, NY (Michele Filosa of counsel), for petitioner.

Foley Griffin LLP, Garden City, NY (Chris McDonough of counsel), for respondent.

PER CURIAM.

On September 25, 2017, the respondent pleaded guilty before the Honorable Christopher G. Quinn, Acting Justice of the Supreme Court, Nassau County, to criminal tax fraud in the fourth degree, in violation of Tax Law § 1803, a class E felony. The respondent, by counsel, notified this Court of his conviction as required by Judiciary Law § 90(4)(c).

The Grievance Committee for the Tenth Judicial District now moves to strike the

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respondent's name from the roll of attorneys and counselors-at-law pursuant to Judiciary Law § 90(4)(b) based upon his felony conviction. Although the respondent was duly served, he has neither opposed the motion nor interposed any response thereto.

Pursuant to Judiciary Law § 90(4)(a), the respondent was automatically disbarred and ceased to be an attorney upon his conviction of a felony.

Accordingly, the motion to strike the respondent's name from the roll of attorneys and counselors-at-law, pursuant to Judiciary Law § 90(4)(b), is granted to reflect the respondent's automatic disbarment as of September 25, 2017.

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BARROS, JJ., concur.

ORDERED that the motion is granted; and it is further,

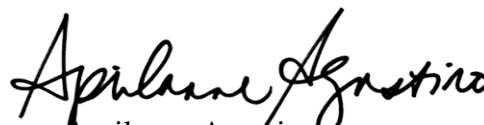
ORDERED that pursuant to Judiciary Law § 90(4)(a), the respondent, Gerard Terry, is disbarred, effective September 25, 2017, and his name is stricken from the roll of attorneys and counselors-at-law, pursuant to Judiciary Law § 90(4)(b); and it is further,

ORDERED that the respondent, Gerard Terry, shall comply with the rules governing the conduct of disbarred or suspended attorneys (*see* 22 NYCRR 1240.15); and it is further,

ORDERED that pursuant to Judiciary Law § 90, the respondent, Gerard Terry, 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 himself out in any way as an attorney and counselor-at-law; and it is further,

ORDERED that if the respondent, Gerard Terry, 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 his affidavit of compliance pursuant to 22 NYCRR 1240.15(f).

ENTER:

  
Aprilanne Agostino  
Clerk of the Court