

**Matter of Attorneys Who Are in Violation of Judiciary Law
Section 468-a: (Barry)**

Motion No: 2022-00177

Slip Opinion No: 2022 NYSlipOp 65778(U)

Decided on May 12, 2022

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the
Official Reports.

Supreme Court of the State of New York
Appellate Division, First Judicial Department

Present – Hon. Judith J. Gische, Justice Presiding,
Barbara R. Kapnick
Angela M. Mazzarelli
David Friedman
Jeffrey K. Oing, Justices.

In the Matter of Attorneys Who Are in
Violation of Judiciary Law Section 468-a:

Motion No. 2022-00177
Case No. 2022-00151

Attorney Grievance Committee
for the First Judicial Department,
Respondent,

John James Barry,
Admitted on April 11, 1979, at a
Term of the Appellate Division,
Second Department,
(OCA Atty. Reg. No. 1195106),
Petitioner.

An order of this Court having been entered on January 30, 2017 (M-6274.141), suspending petitioner from practice as an attorney and counselor-at-law in the State of New York, effective immediately, and until the further order of this Court, for failure to comply with Judiciary Law §468-a,

And petitioner, pro se, having moved this Court on April 4, 2022, for an order granting reinstatement as an attorney and counselor-at-law in the State of New York,

And the Attorney Grievance Committee, by Jorge Dopico, its Chief Attorney (Yvette A. Rosario, of counsel), having submitted an affirmation in opposition, dated March 18, 2022, requesting that the matter be referred to a Referee appointed by the Court for a hearing and recommendation on the issue of whether petitioner meets the standards of reinstatement as set forth in 22 NYCRR § 1240.16,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is unanimously,

Ordered that the motion is granted to the extent of referring this matter to Rosalyn Richter, Esq., Arnold & Porter, 250 West 55th Street, New York, N.Y. 10019-9179, Tel. No. 212-836-8210, as Referee, to conduct a hearing where petitioner will have the burden of establishing by clear and convincing evidence that he possesses the requisite character and general fitness to resume the practice of law, and that he

otherwise meets the standards for reinstatement set out in 22 NYCRR 1240.16(a). The Referee shall hold and complete the hearing within 60 days from the date of entry hereof and issue a report and recommendation to this Court.

Entered: May 12, 2022

A handwritten signature in black ink, appearing to read "Susanna M. Rojas". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Susanna Molina Rojas
Clerk of the Court