

**Matter of Jose A. Muniz, (admitted as Jose Antonio Muniz),
(OCA Atty. Reg. No. 2042521), a disbarred attorney:**

Motion No: 2022-01054

Slip Opinion No: 2022 NYSlipOp 67013(U)

Decided on June 07, 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. Cynthia S. Kern, Justice Presiding,
Jeffrey K. Oing
Peter H. Moulton
Saliann Scarpulla
John R. Higgitt, Justices.

In the Matter of Jose A. Muniz, Motion No. 2022-01054
(admitted as Jose Antonio Muniz), Case No. 2013-00110
(OCA Atty. Reg. No. 2042521),
a disbarred attorney:
Petitioner,

For Reinstatement to the Bar
of the State of New York,

Attorney Grievance Committee
for the First Judicial Department,
Respondent,

An order of this Court, having been entered on May 14, 2013 (M-1989), accepting the resignation of petitioner (who was admitted to practice as an attorney and counselor-at-law in the State of New York at a Term of the Appellate Division of the Supreme Court for the Second Judicial Department on January 15, 1986), and striking his name from the roll of attorneys and counselor-at-law in the State of New York, effective nunc pro tunc to March 21, 2013,

And petitioner, by his attorney Deborah A. Scalise, Esq., having moved this Court on May 9, 2022, for an order pursuant to 22 NYCRR 1240.16(a) and (b), reinstating him as an attorney and counselor-at-law in the State of New York, or, in the alternative referring the matter to a Referee for a hearing,

And the Attorney Grievance Committee, by Jorge Dopico, its Chief Attorney (Vitaly Lipkansky, of counsel), having submitted an affirmation stating that it opposes petitioner's application for reinstatement to the bar at this time and requesting that the matter be referred to a Referee for a hearing and a report as to whether petitioner meets the standards for reinstatement set forth in 22 NYCRR 1240.16(a),

And counsel for petitioner having submitted an affirmation in reply,

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. 10019-9710, Rosalyn.Richter@arnoldporter.com, Telephone 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: June 7, 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