

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : SECOND JUDICIAL DEPARTMENT

9634L
C/nl

GUY JAMES MANGANO, P.J.
LAWRENCE J. BRACKEN
THOMAS R. SULLIVAN
VINCENT R. BALLETTA, JR.
WILLIAM C. THOMPSON, JJ.

90-00315

DECISION & ORDER ON MOTION

In the Matter of Doris L. Sassower, a
suspended attorney.

Grievance Committee for the Ninth Judicial
District, petitioner;
Doris L. Sassower, respondent.

Motion by the Grievance Committee for the Ninth Judicial District to confirm the finding of the Honorable Max H. Galfunt, as Special Referee, that the respondent is not competent to represent herself to proceed in the pending disciplinary proceedings and to add, as a basis for the respondent's continued suspension from the practice of law, that she be suspended indefinitely by reason of mental infirmity or illness, pursuant to 22 NYCRR 691.13(b)(1), and until further order of the court, and that pending disciplinary proceedings be held in abeyance indefinitely. By order dated June 14, 1991, the respondent was suspended from the practice of law pursuant to 22 NYCRR 691.4(l), pending further order of this court, based upon her failure to comply with this court's order of October 18, 1990, which held in abeyance petitioner's motion to suspend her on the ground of mental incapacity and directed that the respondent be examined by a qualified medical expert to determine whether she was incapacitated from the practice of law. By order dated May 16, 1994, a motion by Eli Vigliano, Esq. to withdraw as attorney of record for the respondent with respect to certain allegations of professional misconduct against her was denied. By order dated August 12, 1994, a second motion by Mr. Vigliano to withdraw as counsel of record was held in abeyance and the matter was referred to Special Referee Galfunt to hear and report with respect to 1) whether the respondent was competent to proceed with the disciplinary proceeding, and 2) whether Mr. Vigliano should be allowed to withdraw as the respondent's attorney.

Upon the papers filed in support of the motions, the papers submitted in response thereto, and the minutes of the hearing before the Special Referee, it is

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ORDERED that the motion by Eli Vigliano, Esq. to be relieved as attorney of record for the respondent is granted; and it is further,

ORDERED that the respondent's suspension pursuant to 22 NYCRR 691.4, for failure to cooperate is continued, with leave to the respondent to move to vacate the suspension after she submits to the court-ordered examination; and it is further,

ORDERED that the respondent's disciplinary proceedings are held in abeyance pending her compliance with this court's order of October 18, 1990; and it is further,

ORDERED that the petitioner's motion is denied in all other respects.

MANGANO, P.J., BRACKEN, SULLIVAN, BALLETTA and THOMPSON, JJ., concur.

SUPREME COURT, STATE OF NEW YORK
APPELLATE DIVISION SECOND DEPT

I, MARTIN H. BROWNSTEIN, Clerk of the Appellate Division of the Supreme Court, Second Judicial Department, do hereby certify that I have compared this copy with the original filed in my office on 2/24/95 and that this copy is a correct transcription of said original.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of this Court on 2/24/95



ENTER:

MARTIN H. BROWNSTEIN

Martin H. Brownstein
Clerk