

**SUPREME COURT OF NEW JERSEY  
D-61 September Term 2023  
089016**

**In the Matter of** :  
**David Richard Cubby, Jr.** :  
**An Attorney at Law** :  
**(Attorney No. 027222011)** :

**O R D E R**

The Disciplinary Review Board having filed with the Court its decision in DRB 23-243, recommending on the record certified to the Board pursuant to Rule 1:20-4(f) (default by respondent) that **David Richard Cubby, Jr.**, formerly of **Waldwick**, who was admitted to the bar of this State in 2011, and who has been suspended from the practice of law since July 27, 2021, be disbarred for violating RPC 5.5(a)(1) (practicing law while ineligible and suspended) (two instances), RPC 8.1(b) (failing to cooperate with disciplinary authorities) (two instances), and RPC 8.4(d) (engaging in conduct prejudicial to the administration of justice) (two instances);

And **David Richard Cubby, Jr.**, having been ordered to show cause why respondent should not be disbarred or otherwise disciplined;

And respondent, among other requests, having asked the Court to vacate an outstanding arrest warrant issued by the City of Patterson, Municipal Court, which respondent asserts is illegal, and the Court having determined that it cannot act on that request, and respondent having been so informed;

And respondent having asked to appear telephonically, and the Court having determined that under the circumstances it would not be appropriate to proceed with this order to show cause by telephone;

And respondent having sent multiple submissions to the Court, which were made available to the Court and recounted on the record during the order to show cause;

And good cause appearing;

It is ORDERED that **David Richard Cubby, Jr.**, be disbarred, effective immediately, and that respondent's name be stricken from the roll of attorneys; and it is further

ORDERED that **David Richard Cubby, Jr.**, be and hereby is permanently restrained and enjoined from practicing law; and it is further

ORDERED that **David Richard Cubby, Jr.**, comply with Rule 1:20-20 dealing with disbarred attorneys; and it is further

ORDERED that all funds, if any, currently existing or hereinafter

deposited in any New Jersey financial institution maintained by **David Richard Cubby, Jr.**, pursuant to Rule 1:21-6 be restrained from disbursement and shall be transferred by the financial institution to the Clerk of the Superior Court, who is directed to deposit the funds in the Superior Court Trust Fund pending further order of the Court; and it is further

ORDERED that the entire record of this matter be made a permanent part of respondent's file as an attorney at law of this State; and it is further

ORDERED that respondent reimburse the Disciplinary Oversight Committee for appropriate administrative costs and actual expenses incurred in the prosecution of this matter, as provided in Rule 1:20-17.

**SUPREME COURT OF NEW JERSEY**

Dated: May 2, 2024

Trenton, New Jersey