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April 22, 2025

**VIA CERTIFIED, REGULAR & ELECTRONIC MAIL**

John Petronko, Jr.  
Pryga & Petronko  
163 West Milton Avenue  
Rahway, New Jersey 07065  
prygapetronko@comcast.net

Re: **In the Matter of John Petronko, Jr.**  
Docket No. DRB 25-049  
District Docket No. XII-2023-0021E  
**LETTER OF ADMONITION**

Dear Mr. Petronko:

The Disciplinary Review Board (the Board) has reviewed your conduct in the above matter and concluded that it was improper. Following a review of the record, the Board determined to impose an admonition for your violation of RPC 1.16(d) (failing to return the client's file upon termination of the representation). The Board determined to dismiss the charged violation of RPC 1.15(b) (failing to promptly deliver to the client any funds or other property that the client is entitled to receive).

Specifically, in December 2022, Amanda Byrne retained your firm to represent her, as sole heir and executor, in connection with her father's estate. You referred the matter to Linda Mallozzi, Esq., who worked on the matter for

your firm until she and Byrne developed an irreconcilable conflict. In March 2023, Mallozzi billed \$19,260.75 for the representation; however, you reduced that amount to \$15,285.75, which Byrne paid, in full, from the estate.

On or around June 15, 2023, Mallozzi resigned from handling the matter, citing an irreparable breakdown in the attorney-client relationship and informed Byrne that your firm would no longer represent her.

On June 23, 2023, you notified Byrne, in writing, that the firm was withdrawing from the representation. You also informed her that the file had been copied and that her final payment, in the amount of \$5,270.20, was expected when she came to the office to attend the final office conference and to retrieve the file.

On June 27, 2023, you informed Byrne, via e-mail, that the file would not be released until after her outstanding bill was paid, stating “[w]e will not release documents that remain in our possession” until “after receipt of our fees and costs due to us.” You reiterated in another e-mail that day that you would send “a box full of items as soon as we receive an estate check in payment of our fees and costs.” That same date, you also sent Byrne a letter stating that “[u]pon receipt of the executed check the box containing the file for the [e]state . . . shall be delivered to your residence by UPS next day delivery.” In your correspondence, you enclosed an estate check in the amount of \$5,449.56, for her endorsement, and asserted that it would cover both the costs of mailing the documents to Byrne and the legal fees.

On August 30, 2023, you sent Byrne another letter stating “[u]pon receipt of the payment [for services] a box containing the file for your father’s [e]state would be delivered to your residence promptly by UPS next day delivery.”

On February 20, 2024, eight months after withdrawing from the representation, you returned the estate file to Byrne. By failing to surrender, for nearly eight months, the papers and property to which Byrne was entitled, you violated RPC 1.16(d). Worse, on June 23, June 27 (in two e-mails and one letter), and August 20, 2023, you repeatedly and unequivocally informed Byrne that you would not release the file until she paid the outstanding legal fees. Although you eventually returned the file to Byrne, it was only after she paid your shipping costs.

The Board determined to dismiss, for lack of clear and convincing evidence, the related RPC 1.15(b) charge, which was premised on the same misconduct. However RPC 1.15(b) does not apply to client documents. See In the Matter of Russell T. Kivler, DRB 08-155 (October 21, 2008) (dismissing an RPC 1.15(a) charge as inapplicable when the attorney either lost or refused to return his client's documents; the Board determined that RPC 1.16(d) more appropriately encompassed the attorney's misconduct), so ordered, 197 N.J. 255 (2009).

In imposing only an admonition, the Board accorded considerable mitigating weight to your unblemished fifty-six-year career at the bar and the remorse you demonstrated.

Your conduct has adversely reflected not only on you as an attorney but also on all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. R. 1:20-15(f)(4).

A permanent record of this occurrence has been filed with the Clerk of the Supreme Court and the Board's office. Should you become the subject of any further discipline, this admonition will be taken into consideration.

The Board also has directed that the costs of the disciplinary proceedings be assessed against you. An invoice of costs will be forwarded to you under separate cover.

Very truly yours,

*/s/ Timothy M. Ellis*

Timothy M. Ellis  
Chief Counsel

TME/akg  
Enclosures

c: Chief Justice Stuart Rabner  
Associate Justices

Heather Joy Baker, Clerk

Supreme Court of New Jersey

Hon. Mary Catherine Cuff, P.J.A.D. (Ret.), Chair

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District XII Ethics Committee (e-mail)

Amanda Byrne, Grievant (regular mail)