STATE OF MAINE

SUPREME JUDICIAL COURT

Docket No. Bar-11-16

BOARD OF OVERSEERS OF THE BAR

V.

ORDER M. Bar R. 7.3(g)(3)

BENJAMIN Y. AGRESS of Naples, FL Me. Bar No. 004415

This matter is before the Court to consider the voluntary resignation of Benjamin Y. Agress from the practice of law in the State of Maine. That resignation has been tendered by Mr. Agress, pursuant to M. Bar R. 7.3(g), by his Affidavit dated October 6, 2011. The matter was heard in open court on January 24, 2012. Bar Counsel J. Scott Davis appeared for the Board of Overseers of the Bar. Benjamin Y. Agress, self-represented, appeared and participated by telephone from Naples, Florida. *See* M.R. Civ. P. 43(a).

The facts, which are not disputed, are as follows:

Benjamin Y. Agress was admitted to practice in Maine in 2008. Mr. Agress was administratively suspended by the Board on October 20, 2009 pursuant to M. Bar R. 6 and 12 and remains so suspended. On October 12, 2011 the Board of Overseers of the Bar considered this matter and unanimously recommended that the Court accept Mr. Agress's resignation from the Maine bar.

Therefore, after a hearing on this date, it is hereby ORDERED:

Pursuant to M. Bar R. 7.3(g)(3), Benjamin Y. Agress's resignation from the

Maine bar is accepted, to be effective immediately on the date of this Order.

Within ten (10) days thereof, Mr. Agress shall also comply with and certify to the

Court and to the Board of Overseers of the Bar his completion of all notification

reporting requirements, or that none are so required, pursuant to M. Bar R.

7.3(i)(1).

As required by M. Bar R. 7.3(g)(3), Benjamin Y. Agress's resignation

Affidavit dated October 6, 2011 is hereby impounded and shall not be available for

inspection unless otherwise ordered by the Court. However, should Mr. Agress

seek reinstatement to the Maine bar, that Affidavit may then be made public

without further order of the Court. This Order is a matter of public record pursuant

to M. Bar R. 7.3(g)(3).

Dated: January 24, 2012

/S/

Donald G. Alexander

Associate Justice

Maine Supreme Judicial Court