

(See reverse side for instructions)

**Attorney Request to Reschedule Defendant Production**

**Part 1 – Completed by Attorney**

Today's Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Defendant Information (to be completed by defense attorney)							
1. County		2. Court		3. Building		4. Part	
5. Defendant's Name				6. NYSID#			
7. Pending Court Date		8. Proposed Court Dates					
9. Docket/ Indictment(s) Numbers							
10. Attorney Name				11. Attorney Telephone #			

**12. Reason for Request:**

Attorney engaged in hearings or on-trial in County \_\_\_\_\_ Court \_\_\_\_\_ Part \_\_\_\_\_

Attorney sick

Other: \_\_\_\_\_

**13. Due Diligence:**

I have confirmed defendant is incarcerated

I have notified the District Attorney

ADA Notified \_\_\_\_\_

**14. Status of Case (What is the case on for?):**

\_\_\_\_\_

\_\_\_\_\_  
15. Defense Attorney's signature

**Part 2 - For Court use only**

**Court Order**



To the Commissioner of Correction:

By the ORDER of the Judge Presiding, the defendant listed above should not be produced on the pending court date and in the Court and part listed above. Rather the defendant's securing order is modified as indicated below and bail conditions remain unchanged.

The Court will issue a **Superseding Securing Order** at a later date indicating the next court appearance.

Approved

Denied

\_\_\_\_\_  
Judge's Initials

\_\_\_\_\_  
Court Official

## **Instructions**

This form is to be used by a defense attorney to make a request to the New York State Supreme Court – Criminal Term or New York City Criminal Court that a defendant in New York City Department of Correction custody not be produced for a scheduled court appearance but rather be produced on a subsequent date. This form should only be used in conjunction with an affirmation of actual engagement or when an illness or other unforeseen emergency prevents an attorney from appearing on the scheduled court date.

**When required and appropriate, affirmations of actual engagement must still be submitted. This form does not take the place of such notice and the information contained therein.**

**Whenever possible this form should be submitted with at least two business days' notice before the originally scheduled court appearance but must be submitted no later than 3:00 PM the business day before the originally scheduled court appearance.**

### Part 1 – Defendant Information

The attorney will only fill out Part 1 of the form which includes:

1. County – County of the Court (i.e., Bronx, Kings, New York, Queens or Richmond)
2. Court – Supreme or Criminal
3. Building – Court address (e.g., 100 Centre St., 26 Central Ave.)
4. Part – Courtroom designation
5. Defendant's Name – Name as it appears on accusatory instrument
6. Defendant's NYSID#
7. Pending Court Date – Date that defendant is next scheduled to appear
8. Proposed Court Dates – At least three dates for which the attorney is proposing court reschedule defendant's appearance
9. Docket/Indictment(s) # – Case number(s) of all matters scheduled for the pending court date
10. Attorney Name
11. Attorney Telephone #
12. Reason for Request – Attorney's reason for rescheduling court appearance and production
13. Due Diligence - Affirmation by attorney that defendant is still incarcerated and District Attorney has been notified of the request. Name of the assistant district attorney
14. Status of Case (What is the case on for?) – For example, "arraignment," "motion practice," "hearing" or "trial."
15. Defense Attorney's signature – Affirming the information contained above

Upon completing the form, it should be scanned and sent by email to the appropriate Court's email address:

Bronx Supreme Court – Criminal Term	<a href="mailto:bronxsupcrim@nycourts.gov">bronxsupcrim@nycourts.gov</a>
Kings Supreme Court – Criminal Term	<a href="mailto:kingsupcrim@nycourts.gov">kingsupcrim@nycourts.gov</a>
New York Supreme Court – Criminal Term	<a href="mailto:mansupcrim@nycourts.gov">mansupcrim@nycourts.gov</a>
Queens Supreme Court – Criminal Term	<a href="mailto:qnsupcrim@nycourts.gov">qnsupcrim@nycourts.gov</a>
Richmond Supreme Court – Criminal Term	<a href="mailto:richsupcrim@nycourts.gov">richsupcrim@nycourts.gov</a>

Bronx County Criminal Court	<a href="mailto:bronxcrim@nycourts.gov">bronxcrim@nycourts.gov</a>
Kings County Criminal Court	<a href="mailto:kingscrim@nycourts.gov">kingscrim@nycourts.gov</a>
New York County Criminal Court	<a href="mailto:mancrim@nycourts.gov">mancrim@nycourts.gov</a>
Queens County Criminal Court	<a href="mailto:qnscri@nycourts.gov">qnscri@nycourts.gov</a>
Richmond County Criminal Court	<a href="mailto:richcrim@nycourts.gov">richcrim@nycourts.gov</a>

### Part 2 – For Court use only

If the Judge grants the attorney's request in Part 1, he/she will check "approved" and initial in box and court clerk will sign and submit completed form to Department of Correction indicating Court will issue a Superseding Securing Order. If the Judge denies the request, court clerk will not complete and submit order. A copy of the form will be kept in the court folder.

Unless ordered by the judge, with notice to the People, the matter should remain on the calendar and called into the record on the originally scheduled court date.