

**SUPREME COURT OF THE STATE OF NEW YORK**  
**APPELLATE DIVISION, FIRST DEPARTMENT**

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People of the State of New York

-against-

Affirmation in Support of  
Motion to Proceed as a  
Poor Person and  
Assignment of Counsel

\_\_\_\_\_  
Defendant-Appellant

-----X

I, \_\_\_\_\_, affirm under the penalties of perjury under that:

1. I am the defendant-appellant in the above-captioned case, and I make this affirmation in support of my motion to proceed as a poor person and assignment of counsel on appeal.
2. I am presently in the custody of the Superintendent of \_\_\_\_\_ pursuant to a judgment of the Supreme Court, \_\_\_\_\_ County, rendered on \_\_\_\_\_ convicting me of \_\_\_\_\_, and sentencing me to \_\_\_\_\_.
3. I am unable because of my indigence to pay the costs, fees and expenses necessary to prosecute this appeal. I am currently incarcerated and am earning \_\_\_\_\_ per week in income.
4. I own \$\_\_\_\_\_ worth of real property.
5. ☐ I do own a car. ☐ I do **not** own a car.
6. I have \$\_\_\_\_\_ in savings.
7. ☐ I do collect unemployment ☐ I **do not** collect unemployment.
8. ☐ I do collect alimony or support. ☐ I do **not** collect alimony or support.
9. ☐ I do collect a pension. ☐ I do **not** collect a pension.
10. ☐ I do have other sources of income ☐ I do **not** have other sources of income.
11. I was represented in Supreme Court by:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

an attorney employed by the

- ☐ The Legal Aid Society ☐ Bronx Defender Service  
☐ Neighborhood Defender Service,

OR

☐ A member of the 18-b Assigned Counsel Plan,

OR

☐ other assigned counsel (explain)

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OR

☐ retained counsel (explain retainer)

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12. During the trial proceedings, (check one box):

☐ I was incarcerated.

OR

☐ I was released on my own recognizance.

OR

☐ I was released on bail in the amount of \$\_\_\_\_\_, which was posted  
by (fill in details) \_\_\_\_\_  
\_\_\_\_\_

Wherefore, I respectfully ask for an order permitting me to prosecute this appeal as a poor person and I be furnished with the stenographic transcript of this action without fee and that I be assigned an attorney to represent me on appeal and for such other and further relief as may be proper and equitable.

I affirm this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand this document may be filed in an action or proceeding in a court of law.

\_\_\_\_\_  
Defendant-Appellant