## SUPREME COURT OF THE STATE OF NEW YORK APPELLATE DIVISION, FOURTH DEPARTMENT

| THE PEOPLE OF THE STATE OF NEW YORK,<br>Respondent, | NOTICE OF MOTION TOEXTEND TIME TO FILEAND SERVE PRO SESUPPLEMENTAL BRIEFS |
|---|---|
| V   | )<br>) #<br>) (Insert SCI/Waiver or<br>) Indictment Number)               |
| Defendant-Appellant.                                | )<br>)#<br>)  (Insert AD Docket Num ber)                                  |

PLEASE TAKE NOTICE, that upon the annexed affidavit(s), the undersigned will move this Court at a term of the Appellate Division, 50 East Avenue, Rochester, New York, 14604 on the \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_, for an order granting defendant-appellant an extension of time to file and serve pro se supplemental briefs on the appeal, and for such other and further relief as to the Court may seem just and proper.

PLEASE TAKE FURTHER NOTICE, that this motion will be submitted without oral argument (see 22 NYCRR 1250.4 [a] [8]). The original answering affidavits, if any, must be filed with the Court by 4:00 p.m. of the business day preceding the return date (see 22 NYCRR 1250.4 [a] [5]).

Dated: \_\_\_\_\_, 20 \_\_\_\_

(Name and address of moving party or attorney)

TO: \_\_\_\_\_ County District Attorney

## SUPREME COURT OF THE STATE OF NEW YORK APPELLATE DIVISION, FOURTH DEPARTMENT

| THE PEOPLE OF THE STATE OF NEW YORK,<br>Respondent,      | <ul> <li>AFFIDAVIT IN SUPPORT OF</li> <li>MOTION TO EXTEND TIME</li> <li>TO FILE AND SERVE PRO SE</li> <li>SUPPLEMENTAL BRIEFS</li> </ul> |
|--|---|
| V  | <i>)</i><br>)#  |
| ·  | ) (Insert SCI/Waiver or<br>) Indictment Number)   |
| Defendant-Appellant.                                     | ) #   |
|  | ) #<br>) (Insert AD Docket Num ber)   |
| STATE OF NEW YORK<br>COUNTY OFss:                        |   |
| , be   | ing duly sworn, deposes and   |
| says:  |   |
| 1. That I am the defendant-appellant and am re           | epresented by counsel assigned  |
| by the Appellate Division.                               |   |
| 2. That this affidavit is made in support of a mo        | tion for an extension of time to  |
| file and serve pro se supplemental briefs, which were of | due to be filed on  |
|  |   |
| 3. That an extension of time to file and serve th        | e pro se supplemental briefs is   |
| being sought for the following reasons:                  |   |
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WHEREFORE, deponent requests an extension of time to file and serve the pro se supplemental briefs in this matter to (insert date)

.

20\_\_\_\_.

Dated: \_\_\_\_\_, 20\_\_\_\_

Defendant-Appellant

Sworn to before me this

\_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC/COMMISSIONER OF DEEDS

My commission expires:\_\_\_\_\_

## SUPREME COURT OF THE STATE OF NEW YORK APPELLATE DIVISION, FOURTH DEPARTMENT

| THE PEOPLE OF THE STATE OF NEW YO Respondent,   | ) AFFIDAVIT OF SERVICE<br>DRK, ) OF MOTION TO EXTEND<br>) TIME TO FILE AND SERVE<br>) PRO SE SUPPLEMENTAL<br>) BRIEFS |
|---|---|
| V   | ) #<br>) (Insert SCI/Waiver or<br>) Indictment Number)  |
| Defendant-Appellant.  | , )<br>) #) (Insert AD Docket Num ber)  |
| STATE OF NEW YORK)<br>COUNTY OF) se   | 5.:   |
| (s)he is not a party to this action, is over 18   | _, being duly sworn, deposes and says that years of age, and resides at   |
| Motion to Extend Time to File and Serve Pro<br>true copy thereof enclosed in a post-paid wr<br>exclusive care and custody of the U.S. Posta<br>addressed to each of the following parties a<br>address set forth after each name: | apper in an official depository under the al Service within the United States,  |
|   |   |
| (   | PRINT NAME BELOW SIGNATURE)   |
| Sworn to before me thisday of, 20   |   |
| NOTARY PUBLIC/COMMISSIONER OF DE  |   |
| My commission expires:  |   |