

STATE OF NEW YORK
SUPREME COURT COUNTY OF _____

THE PEOPLE OF THE STATE OF NEW YORK,
Respondent,

V

Defendant-Appellant.

) **NOTICE OF APPEAL FROM**
) **AN ORDER FOR**
) **RE-SENTENCING UNDER**
) **PENAL LAW § 70.71**

) # _____
) (Insert SCI/Waiver or
) Indictment Number)

PLEASE TAKE NOTICE, that _____ hereby appeals
to the Supreme Court, Appellate Division, Fourth Department, from an Order of the
(circle one) County/Supreme Court (Hon. _____, J.), entered in the
_____ County Clerk's Office on _____, 20____,
pursuant to CPL § 70.71, and from each and every part thereof.

DATED: _____, 20____

(Name and address of appellant or attorney)

TO: _____ County Clerk (not Court Clerk)

TO: _____ (Name and address of respondent
or attorney for respondent)

STATE OF NEW YORK
SUPREME COURT COUNTY OF _____

THE PEOPLE OF THE STATE OF NEW YORK,)
Respondent,)
V)
_____.)
Defendant-Appellant.)

**AFFIDAVIT OF SERVICE OF
NOTICE OF APPEAL FROM
AN ORDER FOR
RE-SENTENCING UNDER
PENAL LAW § 70.71**

(Insert SCI/Waiver or
Indictment Number)

STATE OF NEW YORK)
COUNTY OF _____) ss.:

_____, being duly sworn, deposes and says that (s)he
is not a party to this action, is over 18 years of age, and resides at _____
_____.

That on the ___ day of _____, 20___, your deponent served the
within Notice of Appeal by depositing a true copy thereof enclosed in a post-paid
wrapper in an official depository under the exclusive care and custody of the U.S.
Postal Service within New York State, addressed to each of the following parties and/or
their attorneys at the last known address set forth after each name:

(PRINT NAME BELOW SIGNATURE)

Sworn to before me this
___ day of _____, 20___

NOTARY PUBLIC/COMMISSIONER OF DEEDS
My commission expires: _____