

F.C.A. §§ 516-a, 532;
S.S.L. §111-k
P.H.L. §4135-b

Form 5-5
(Order-Vacate
Acknowledgment
of Paternity)
9/2008

At a Term of the Family Court of the
State of New York, held in and for the
County of _____,
at _____, New York
on _____

PRESENT:

Hon. _____
Judge/Support Magistrate

In the Matter of a Petition to Vacate an Acknowledgment
of Paternity

Docket No.

SS# _____
Address:¹ _____
-against- _____
Respondent.

ORDER ON PETITION
TO VACATE
ACKNOWLEDGMENT
OF PATERNITY

SS# _____
Address:² _____

IF THIS ORDER WAS ENTERED BY A JUDGE, PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY THE APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF THE COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE LAW GUARDIAN UPON THE APPELLANT, WHICHEVER IS EARLIEST.

IF THIS ORDER WAS ENTERED BY A SUPPORT MAGISTRATE, SPECIFIC WRITTEN OBJECTIONS TO THIS ORDER MAY BE FILED WITH THIS COURT WITHIN 30 DAYS OF THE DATE THE ORDER WAS RECEIVED IN COURT OR BY PERSONAL SERVICE, OR IF THE ORDER WAS RECEIVED BY MAIL, WITHIN 35 DAYS OF THE MAILING OF THE ORDER.

¹Indicate address unless ordered by the court to be confidential. See F.C.A. §154-b. If address is confidential, address must be forwarded to the Putative Father Registry on a separate sheet.

²Indicate address unless ordered by the court to be confidential. See F.C.A. §154-b. If address is confidential, address must be forwarded to the Putative Father Registry on a separate sheet.

A petition having been filed by the above-named Petitioner to vacate the acknowledgment of paternity executed on (specify date) _____ by both parties concerning _____ a child born out of wedlock to (mother's name) _____ on _____;and

Notice of such petition having been given to the mother, local Social Services District and other legal guardian of the child, and the parties having appeared before this Court;

NOW , after examination and inquiry into the facts and circumstances of this case,

- [Check applicable box]: and the Court having determined that [specify]:
is not the father of the above-named child
- and the Court having determined that [specify]:
is the father of the above-named child;
- and the Court having further determined that [specify]:

IT IS HEREBY [Check applicable box]:

- ADJUDGED and DECLARED that [specify]: is the father of the child;
- ADJUDGED and DECLARED that [specify]: is not the father of the child;
- ADJUDGED and DECLARED that there is no finding regarding the paternity of the child; and it is further

ORDERED that the Petitioner's request to vacate the acknowledgment of paternity is hereby [Check applicable box]: granted denied; and it is further

ORDERED that a copy of this order shall be immediately provided to the registrar of the district in which the child's birth certificate is filed and to the putative father registry operated by the Office of Temporary and Disability Assistance pursuant to Section 372-c of the Social Services Law; and it is further

[Applicable to order made by Judge]: ORDERED that the issue of support is hereby referred to a Support Magistrate for final determination pursuant to Sections 439 and 439-a of the Family Court Act;

; and it is further

ORDERED that:

ENTER

Judge of the Family Court/Support Magistrate

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: _____
- Order received in court on [specify date(s) and to whom given]: _____