F.C.A. §451, 548 Form 5-17a

(Paternity-- Motion to Vacate for Lack of Service) (1/2024)

FAMILY COURT OF THE STATE OF NEW YORK

COUNTY OF

...........................................................................................

In the Matter of a Proceeding under Article 5 of the DOCKET NO.

Family Court Act, [[1]](#footnote-1)

NOTICE OF MOTION Petitioner TO VACATE

FOR LACK OF SERVICE

-against-

Respondent

............................................................................................

TO:

PLEASE TAKE NOTICE that upon the annexed □ affirmation □ affidavit of [specify]:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and upon the prior proceedings in this matter, a motion will be made to this Court at [specify address]:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_on [specify date]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , or as soon thereafter as the parties and counsel can be heard, for an Order vacating an [check applicable box(es)]: □ Order of Filiation □ Order of Child Support on the ground of lack of service and for such other and further relief as to the Court may seem just and proper.

Dated:

Yours, etc.

Signature of Applicant

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

Print or type name

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

Signature of Attorney, if any

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

Attorney’s Name (Print or Type)

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

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

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

Attorney’s Address and Telephone Number

1. Use original caption of support proceeding.

   [↑](#footnote-ref-1)