

**NOTICE OF APPEAL TO APPELLATE DIVISION, THIRD JUDICIAL DEPARTMENT**  
**FROM ORDER OF FAMILY COURT**

STATE OF NEW YORK

FAMILY COURT

COUNTY OF \_\_\_\_\_

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IN THE MATTER OF

**NOTICE OF  
APPEAL**

\_\_\_\_\_  
Petitioner(s) .

v

\_\_\_\_\_  
Family Court  
Docket No./ Index No.

\_\_\_\_\_  
Respondent(s) .

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(Use lower court caption)

PLEASE TAKE NOTICE that the above named \_\_\_\_\_ (Petitioner(s) / Respondent(s)) hereby appeal(s) to the Supreme Court, Appellate Division, Third Judicial Department, from the Order of the Family Court entered in the office of the Family Court Clerk of \_\_\_\_\_ County, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, which

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and from each and every part thereof.

Dated: \_\_\_\_\_

(Signature) \_\_\_\_\_

(Print Name) \_\_\_\_\_

(Address) \_\_\_\_\_

(Telephone) \_\_\_\_\_

TO **Family Court Clerk** (Original)

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

(also send a copy to all other parties and to the Attorney for the Child, if any)

**Note:** File with Family Court the original and two copies of the Notice of Appeal, together with one copy of an Informational Statement pursuant to section 1250.3 (a) of the Practice Rules of the Appellate Division and proof of service of these papers upon all parties or their attorneys and the Attorney for the Child, if any; and serve one copy of the Notice of Appeal and one copy of the Informational Statement upon all parties or their attorneys and the Attorney for the Child, if any.

# Supreme Court of the State of New York

## Appellate Division:                      Judicial Department

Informational Statement (Pursuant to 22 NYCRR 1250.3 [a]) - Civil

<b>Case Title:</b> Set forth the title of the case as it appears on the summons, notice of petition or order to show cause by which the matter was or is to be commenced, or as amended.	For Court of Original Instance
- against -	Date Notice of Appeal Filed
	For Appellate Division

Case Type	Filing Type
<input type="checkbox"/> Civil Action <input type="checkbox"/> CPLR article 75 Arbitration <input type="checkbox"/> CPLR article 78 Proceeding <input type="checkbox"/> Special Proceeding Other <input type="checkbox"/> Habeas Corpus Proceeding	<input type="checkbox"/> Appeal <input type="checkbox"/> Original Proceedings <input type="checkbox"/> CPLR Article 78 <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Labor Law 220 or 220-b <input type="checkbox"/> Public Officers Law § 36 <input type="checkbox"/> Real Property Tax Law § 1278 <input type="checkbox"/> Transferred Proceeding <input type="checkbox"/> CPLR Article 78 <input type="checkbox"/> Executive Law § 298 <input type="checkbox"/> CPLR 5704 Review

<b>Nature of Suit:</b> Check up to three of the following categories which best reflect the nature of the case.			
<input type="checkbox"/> Administrative Review	<input type="checkbox"/> Business Relationships	<input type="checkbox"/> Commercial	<input type="checkbox"/> Contracts
<input type="checkbox"/> Declaratory Judgment	<input type="checkbox"/> Domestic Relations	<input type="checkbox"/> Election Law	<input type="checkbox"/> Estate Matters
<input type="checkbox"/> Family Court	<input type="checkbox"/> Mortgage Foreclosure	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Prisoner Discipline & Parole
<input type="checkbox"/> Real Property (other than foreclosure)	<input type="checkbox"/> Statutory	<input type="checkbox"/> Taxation	<input type="checkbox"/> Torts

**Appeal**

Paper Appealed From (Check one only):	If an appeal has been taken from more than one order or judgment by the filing of this notice of appeal, please indicate the below information for each such order or judgment appealed from on a separate sheet of paper.
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- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> Amended Decree    | <input type="checkbox"/> Determination          | <input type="checkbox"/> Order              | <input type="checkbox"/> Resettled Order  |
| <input type="checkbox"/> Amended Judgement | <input type="checkbox"/> Finding                | <input type="checkbox"/> Order & Judgment   | <input type="checkbox"/> Ruling           |
| <input type="checkbox"/> Amended Order     | <input type="checkbox"/> Interlocutory Decree   | <input type="checkbox"/> Partial Decree     | <input type="checkbox"/> Other (specify): |
| <input type="checkbox"/> Decision          | <input type="checkbox"/> Interlocutory Judgment | <input type="checkbox"/> Resettled Decree   |   |
| <input type="checkbox"/> Decree            | <input type="checkbox"/> Judgment               | <input type="checkbox"/> Resettled Judgment |   |

Court:	County:
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Dated:	Entered:
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Judge (name in full):	Index No.:
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Stage: <input type="checkbox"/> Interlocutory <input type="checkbox"/> Final <input type="checkbox"/> Post-Final	Trial: <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <input type="checkbox"/> Jury <input type="checkbox"/> Non-Jury
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**Prior Unperfected Appeal and Related Case Information**

Are any appeals arising in the same action or proceeding currently pending in the court?  Yes  No  
 If Yes, please set forth the Appellate Division Case Number assigned to each such appeal.

Where appropriate, indicate whether there is any related action or proceeding now in any court of this or any other jurisdiction, and if so, the status of the case:

**Original Proceeding**

Commenced by: <input type="checkbox"/> Order to Show Cause <input type="checkbox"/> Notice of Petition <input type="checkbox"/> Writ of Habeas Corpus	Date Filed:
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Statute authorizing commencement of proceeding in the Appellate Division:

**Proceeding Transferred Pursuant to CPLR 7804(g)**

Court:	County:
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Judge (name in full):	Order of Transfer Date:
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**CPLR 5704 Review of Ex Parte Order:**

Court:	County:
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Judge (name in full):	Dated:
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**Description of Appeal, Proceeding or Application and Statement of Issues**

Description: If an appeal, briefly describe the paper appealed from. If the appeal is from an order, specify the relief requested and whether the motion was granted or denied. If an original proceeding commenced in this court or transferred pursuant to CPLR 7804(g), briefly describe the object of proceeding. If an application under CPLR 5704, briefly describe the nature of the ex parte order to be reviewed.

Issues: Specify the issues proposed to be raised on the appeal, proceeding, or application for CPLR 5704 review, the grounds for reversal, or modification to be advanced and the specific relief sought on appeal.

**Party Information**

Instructions: Fill in the name of each party to the action or proceeding, one name per line. If this form is to be filed for an appeal, indicate the status of the party in the court of original instance and his, her, or its status in this court, if any. If this form is to be filed for a proceeding commenced in this court, fill in only the party's name and his, her, or its status in this court.

No.	Party Name	Original Status	Appellate Division Status
1			
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**AFFIDAVIT OF SERVICE OF MAILING**

STATE OF NEW YORK )  
COUNTY OF \_\_\_\_\_ ) ss.:

\_\_\_\_\_, being duly sworn, deposes and says:

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I served a true copy of the annexed \_\_\_\_\_ by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known addressee(s) as indicated below:

*(Insert here the name[s] and address[es] of the person[s] to whom you are mailing the papers being filed with this Court. If necessary, attach extra pages for additional names and addresses.)*

Name & Address	Name & Address

(Signature) \_\_\_\_\_  
(Print Name) \_\_\_\_\_

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public