

FORM 1B

APPELLATE TERMS OF THE SUPREME COURT
2nd, 11th & 13th AND 9th & 10th JUDICIAL DISTRICTS

V.

NOTICE OF MOTION

Appellate Term Docket No.

Please take notice that upon the annexed affidavit of _____ dated the ___ day of _____, 2___ the _____ will move this Court at a term thereof to be held at the Courthouse of the Appellate Term of the Supreme Court, 2nd, 11th & 13th and 9th & 10th Judicial Districts, at 141 Livingston Street, 15th Floor, Brooklyn, New York 11201, on the ___ day of _____, 2___ at 10:00 o'clock in the forenoon of that day or as soon thereafter as can be heard, for an order

Yours,

(sign your name)

PRINT your name
your address
including city, state and zip code
telephone number

TO: NAME OF OPPONENT OR ATTORNEY (if opponent is represented by an attorney)

NOTE: On the return date, all motions and proceedings are deemed submitted. Oral argument is not permitted (22 NYCRR § 731.7 & 732.7).

FORM 1B

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE TERMS: 2ND, 11TH & 13TH AND 9TH & 10TH JUDICIAL DISTRICTS**

**AFFIDAVIT IN SUPPORT OF
MOTION**

Appellate Term Docket Number:

Lower Court Index No. _____

-against-

State of New York)
County of _____) s.s.:

I, _____, being duly sworn,
depose and say that:

1. I am the _____ in the above entitled proceeding
and make this affidavit in support of the motion to dismiss the appeal.

2. The type of the above entitled proceeding is as follows:

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Landlord & Tenant (non-payment) | <input type="checkbox"/> Criminal |
| <input type="checkbox"/> Landlord & Tenant (holdover) | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Civil | |
| <input type="checkbox"/> Small Claims | |
| <input type="checkbox"/> Traffic Violation | |

My grounds or reasons are as follows:

3.

4.

5.

6.

7. No previous application has been made for the relief requested herein except:
(If any previous application has been made, it must be described below.)

8. I have no other person available to effectuate service of this order to show cause and therefore request permission to serve this order myself.

WHEREFORE, I request that the court grant me the following relief:

Dated: _____, 2____
_____, New York

(SIGNATURE OF PERSON MAKING MOTION -
SIGNED BEFORE A NOTARY PUBLIC)

Sworn to before me this
____ day of _____, 2____

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK, _____ S.S.:
(COUNTY WHERE SWORN TO)

_____, being duly sworn, deposes and says, that deponent is NOT a party to the action, is over 18 years of age and resides at _____

(ADDRESS OF PERSON WHO SERVES PAPERS)

That on the _____ day of _____, 2____ deponent served the within _____ Motion to/for _____ upon opponent(s) _____

(NAME OF OPPONENT[S])

at _____

(ADDRESS OF OPPONENT[S])

(or if the opponent[s] is [are] represented by attorney[s])

upon _____ attorney(s) for opponent(s)

(NAME OF ATTORNEY[S])

at _____

(ADDRESS OF ATTORNEY[S])

the address designated by said opponent(s) or said attorney(s) for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in --a post office -- official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

(SIGNATURE)

(To be completed by Notary Public at the time affidavit is signed)

Sworn to before me this

_____ day of _____, 2____
