

How to Extend the Time to Serve the Summons and Complaint

Instructions

Supporting papers required:

Affidavit in support of extension

Summons and Complaint

Affidavit by server of attempts at service

NOTE: If time has already expired add to the order, "extended 120 days non pro tunc"

Instrucciones

Documentos de apoyo que se requieren:

Declaración jurada en apoyo de la extensión

Citación y Demanda

Declaración Jurada del Notificador del Proceso de los intentos de entrega

NOTA: Si el tiempo de entrega caduco, agregue en la solicitud, "extender 120 días no pro tunc"

Print in black ink all areas in bold letters.

At I.A.S. Part ____ of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse thereof, 60 Centre Street, New York, N.Y., on the _____ day of _____, 20____

PRESENT: HON. _____
Justice of the Supreme Court

-----x

_____,
Plaintiff(s),

- against -

_____,
Defendant(s)
-----x

Index Number

ORDER

The Plaintiff having duly made application to this Court for an Order pursuant to CPLR §306-b, §2004, §3012(d), and /or §2005, for an extension of time to serve the defendant with the Summons and Complaint, and plaintiff's said application having been duly submitted to the office of the *Ex Parte Clerk*, and

Upon reading and filing the affidavit of _____, plaintiff, pro se, sworn to before a notary on _____ and all the exhibits annexed thereto in support of plaintiff's application for an extension of time to serve the defendant with the Summons and Complaint in this action and the matter having been duly submitted to the Court for a decision, and after due deliberation having been had thereon,

NOW, on motion of _____ plaintiff, pro se, it is

ORDERED, that plaintiff's time within which to serve defendant with the Summons and Complaint in this action, and file an affidavit of service, is hereby extended 120 days from the date of this Order, said time to expire on _____.

ENTER:

J.S.C.

[Print in **black** ink all areas in bold letters]

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----x

Index Number

_____,
[fill in names(s)] Plaintiff(s)/Petitioner(s),

- against -

AFFIDAVIT IN SUPPORT

_____,
[fill in name(s)] Defendant(s)/Respondent(s)
-----x

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

_____ [your name], being duly sworn,
deposes and says:

1. I am **[circle one]** the plaintiff/ petitioner/ defendant/ respondent in this matter. I make this affidavit in support of this motion for an order **[Describe what you are asking the Court to do.]**

2. I believe the Court should grant this motion because **[Explain why you should be granted what you are requesting. Explain any Exhibits (documents) you are submitting. Add more pages if needed.]**

