

**SUPREME COURT, CIVIL BRANCH,
NEW YORK COUNTY
60 Centre Street, New York, N.Y. 10007**

**HELP CENTER
Room 116
646-386-3025**

How to Obtain Order for Alternate Manner of Service and Extension of Time to Serve

Note: All persons involved in a lawsuit should consult an attorney. This office gives you forms and information on court procedures. Since we are an office of this court, we cannot give legal advice or act as your advocate.

Supporting papers required:

1. Affirmation/affidavit explaining reasons for needing an alternative method of service. Affirmation/affidavit should include:
 - a. Detailed explanation of attempts at service by sheriff, process server, relatives, friends, or anyone eighteen years old or older, outcomes(s) and why an alternative method is necessary.
 - b. Statement of when time to serve expires.
 - c. Whether by stipulation or order, the affirmation/affidavit must detail any prior requests for the same relief, in compliance with CPLR 2217(b):
An ex parte motion shall be accompanied by an affidavit stating the result of any prior motion for similar relief and specifying the new facts, if any, that were not previously shown.
2. If attempted service, affidavit by server(s) describing attempts at service.
3. Copy of Summons and Complaint
4. Litigation back

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

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

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Index Number

Plaintiff(s),

ORDER FOR ALTERNATIVE
MANNER OF SERVICE
AND EXTENSION OF TIME
TO SERVE

- against -

Defendant(s)

-----x

Upon reading and filing the Summons and Verified Complaint (or *Summons with Notice*), in the above-entitled action and the affidavit of _____, plaintiff herein, sworn to before a notary on the _____ day of _____, 20__ and the attorney's affirmation dated _____, 20__, and upon the pleadings had herein, and it appearing that service of the summons herein upon the defendant, _____, pursuant to CPLR §308(1) is impracticable.

NOW, on motion of _____, plaintiff, (*pro se, if applicable*), for an order directing an alternate manner of service of the Summons and Verified Complaint (or *Summons with Notice*) pursuant to CPLR§308(5),

ORDERED, that the Summons and Verified Complaint (or *Summons with Notice*) be served upon defendant, _____, by mailing a copy of the Summons and Verified Complaint (or *Summons with Notice*) to defendant, _____ at _____

_____ by registered mail and ordinary mail and that service as aforesaid shall be in lieu of CPLR§308(1)(2)(4) and of publication, and it is

ORDERED, that the plaintiff's time within which to serve defendant with the Summons and Verified Complaint (or *Summons with Notice*) 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 _____.

E N T E R:

J.S.C.

