

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION, FIRST DEPARTMENT**

x

People of the State of New York

NOTICE OF MOTION FOR
POOR PERSON RELIEF AND
ASSIGNMENT OF COUNSEL

-against-

INDICTMENT NO. _____

Defendant-Appellant

x

PLEASE TAKE NOTICE that upon the annexed affirmation of _____,

dated the _____ day of _____, 20____, the defendant-appellant will move
this Court at a term to be held at the Appellate Division Courthouse located at 25th Street and
Madison Avenue, New York, N.Y., 10010, on _____, 20____, at 10:00 a.m., for leave to
appeal as a poor person and for assignment of counsel on appeal.

Dated: _____

To: District Attorney, _____ County

Defendant-Appellant

Address of District Attorney

Defendant's Address

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION, FIRST DEPARTMENT**

-----X

People of the State of New York

-against-

Affirmation in Support of:
Motion to Proceed as a
Poor Person and
Assignment of Counsel

INDICTMENT NO. _____

Defendant-Appellant

-----X

I, _____, affirm under the penalties of perjury under that:

1. I am the defendant-appellant in the above-captioned case, and I make this affirmation in support of my motion to proceed as a poor person and assignment of counsel on appeal.
2. I am presently in the custody of the Superintendent of _____ pursuant to a judgment of the Supreme Court, _____ County, rendered on _____ convicting me of _____, and sentencing me to _____.
3. I am unable because of my indigence to pay the costs, fees and expenses necessary to prosecute this appeal. I am currently incarcerated and am earning _____ per week in income.
4. I own \$ _____ worth of real property.
5. I do own a car. I do **not** own a car.
6. I have \$ _____ in savings.
7. I do collect unemployment I do **not** collect unemployment.
8. I do collect alimony or support. I do **not** collect unemployment.
9. I do collect a pension. I do **not** collect a pension.
10. I do have other sources of income I do **not** have other sources of income.
11. I was represented in Supreme Court by:

an attorney employed by the

- The Legal Aid Society Bronx Defender Service
 Neighborhood Defender Service,

OR

A member of the 18-b Assigned Counsel Plan,

OR

other assigned counsel (explain)

OR

retained counsel (explain retainer)

12. During the trial proceedings, (check one box):

I was incarcerated.

OR

I was released on my own recognizance.

OR

I was released on bail in the same of \$_____, which was posted
by (fill in details) _____

Wherefore, I respectfully ask for an order permitting me to prosecute this appeal as a poor person and I be furnished with the stenographic transcript of this action without fee and that I be assigned an attorney to represent me on appeal and for such other and further relief as may be proper and equitable.

I affirm this _____ day of _____, _____, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand this document may be filed in an action or proceeding in a court of law.

Defendant-Appellant