

At the Supreme Court of the State of  
New York, held in and for the County  
of \_\_\_\_\_ at the County  
Courthouse at \_\_\_\_\_, New  
York, on the \_\_\_ day of \_\_\_\_\_

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2  
3

4 **PRESENT:** HON. \_\_\_\_\_  
Justice of the Supreme Court  
-----X

5 In the Matter of the Application of \_\_\_\_\_ Index No.: \_\_\_\_\_

6 \_\_\_\_\_,  
Plaintiff,  
**For Permission to Prosecute an Action as a Poor Person**  
-against-

**POOR PERSON ORDER**

7 \_\_\_\_\_,  
Defendant.  
-----X

8 Upon the annexed affidavit of \_\_\_\_\_,

9 And it being alleged that said Plaintiff \_\_\_\_\_ has a good cause of  
10 action or claim based upon \*\*DRL § 170 subd. \_\_\_\_ - \_\_\_\_\_, and that  
*he/she* is unable to pay the costs, fees and expenses to prosecute this action, and that there is no other  
person beneficially interested in the action, thereof

11 **NOW** on motion of \_\_\_\_\_, Plaintiff, it is hereby

12 **ORDERED** that \_\_\_\_\_ is permitted to prosecute this action as a poor  
13 person against \_\_\_\_\_ and it is further

**ORDERED** that any recovery by Judgment or Settlement in favor of Plaintiff shall be paid to  
the Clerk of the Court to await distribution pursuant to court order, and it is further

**ORDERED** that the Clerk of this Court is directed to make no charge for costs or fees in  
connection with the prosecution of this action, including one (1) certified copy of the judgment.

**ENTER:**

\_\_\_\_\_  
J.S.C.

14

\*\*Insert the grounds for the divorce:  
DRL §170(1) - cruel and inhuman treatment      DRL §170(4) - adultery  
DRL §170(2) - abandonment                      DRL §170(5) - living apart one year after separation decree or judgment of separation  
DRL §170(3) - confinement in prison            DRL §170(6) - living apart one year after execution of a separation agreement  
DRL §170(7) - irretrievable breakdown in relationship

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

1

-----X

In the Matter of the Application of

2,3

\_\_\_\_\_,

Plaintiff.

Index No.: \_\_\_\_\_

**For Permission to Prosecute as a Poor Person**

**AFFIDAVIT IN SUPPORT OF  
APPLICATION TO PROCEED  
AS A POOR PERSON**

- against -

4

\_\_\_\_\_,

Defendant.

-----X

STATE OF NEW YORK }

ss:

5

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

6

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

7

1. I reside at \_\_\_\_\_ in the City, Town or  
Village of \_\_\_\_\_, County of \_\_\_\_\_, State of New York, and I have resided  
in the State of New York for the past \_\_\_\_\_ years.

8

2. I am about to commence a lawsuit for divorce. This lawsuit is based upon \*\*DRL §170  
\_\_\_\_\_ - \_\_\_\_\_.

9

3. My sole source of income is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I earn \$ \_\_\_\_\_ per \_\_\_\_\_.

10

4. My property and its value are as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11

5. I make this application pursuant to Section 1101 of the Civil Practice Law and Rules upon  
the ground that I am unable to pay costs, fees and expenses necessary to pursue my case and  
am unable to obtain the funds to do so, and unless an order is entered relieving me from the  
obligation to pay, I will be unable to prosecute my case.

- 12 6. No other person is beneficially interested in the recovery sought herein.
- 13 7. No previous application for the same or similar relief has been made by me in this case except: \_\_\_\_\_

\_\_\_\_\_ .  
**WHEREFORE**, I respectfully ask for an order permitting me to prosecute an action as a poor person.

The foregoing statements have been carefully read by the undersigned who states that they are true and correct.

14 \_\_\_\_\_  
Plaintiff

Subscribed and sworn to  
before me on

\_\_\_\_\_

\_\_\_\_\_

NOTARY PUBLIC

\*\*Insert the grounds for the divorce:

DRL §170(1) - cruel and inhuman treatment  
DRL §170(2) - abandonment  
DRL §170(3) - confinement in prison

DRL §170(4) - adultery  
DRL §170(5) - living apart one year after separation decree or judgment of separation  
DRL §170(6) - living apart one year after execution of a separation agreement  
DRL §170(7) - irretrievable breakdown in relationship