

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

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\*\*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