

Present: Hon. _____
Judge of the District Court

Order to Show Cause to Vacate Default Judgment in Landlord Tenant Proceeding

Petitioner

-against-

Respondent

Index No. _____

Upon the affidavit of _____, Respondent, sworn to on the ____ day of _____, 20____, and upon all prior papers and proceedings,

Let the Petitioner show cause at a Motion Term of this Court to be held at the Courthouse located at _____ on the ____ day of _____, 20____, at 9:30 AM or as soon thereafter as the parties can be heard, why an order should not be entered vacating the default on appearance date and/or the judgment granted in favor of the Petitioner and setting the matter down for trial, and why the Respondent should not have such other and further relief as may be just and proper.

Sufficient reason being presented for the relief requested, it is

Ordered that pending the hearing of this motion, the Sheriff and the Petitioner and all Petitioner's agents are stayed from conducting any proceedings to enforce the judgment, and further it is

Ordered that the Respondent serve a copy of this order on the Petitioner, or Petitioner's attorney if one has been retained, at _____ and the Suffolk County Sheriff at 360 Yaphank Avenue, Yaphank NY 11980 by Personal Delivery by the ____ day of _____, 20____.

All papers the Petitioner desires to submit in opposition to the Respondent's motion must be served on the Respondent and forwarded to the court prior to the hearing date. **Personal appearance** is required and **oral statements** will be considered.

Dated: _____

Enter,

District Court Judge

This order, together with proof of service, must be returned to the Court Clerk's office on or before _____