

STATE OF NEW YORK
COUNTY OF OTSEGO
ONEONTA CITY COURT

Plaintiff

vs.

Defendant

NOTICE OF APPEAL

City Court Docket No. _____

County Clerk Index No. _____
(if known)

PLEASE TAKE NOTICE that the above named _____
(Name of Appellant)

hereby appeals to the Otsego County Court from a:

- Decision entered in the Oneonta City Court;
- Judgment of the Small Claims/Commercial Claims Part of the Oneonta City Court entered in this action in the amount of \$ _____.

and from every part thereof.

DATED: _____

Signature of Appellant

Address of Appellant

TO: 1. _____
Name of Opposing Party

Address of Opposing Party

2. _____
Name of Attorney for Opposing Party (if any)

Address of Attorney

3. OTSEGO COUNTY CLERK

INSTRUCTIONS FOR SERVICE OF THE NOTICE OF APPEAL

- ▶ A PARTY TO THE ACTION CANNOT SERVE THE NOTICE OF APPEAL. IT **MUST** BE SERVED BY SOME OTHER PERSON 18 YEARS OR OLDER (CPLR 2103 (a)).
- ▶ In the event the opposing party is represented by an attorney, the Notice of Appeal must be served on the attorney AND the opposing party.
- ▶ After Personal Service or Service by Mail has been completed, an Affidavit of Service (see **form attached**) must be completed for each person that was served and sworn before a Notary Public.
- ▶ The completed Affidavit(s) of Service must be filed with the City Court along with the Notice of Appeal.

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
COUNTY OF _____)

The undersigned being duly sworn, deposes and says:

_____ Deponent is **not** a party to the action, is over 18 years of age
(name of person serving the document)
and resides at _____
(address of person serving the document)

That on _____, deponent served the within _____
(date of mailing/personal service) (Title of document)

on _____ located at _____
(name of other party or attorney for other party) (address of other party or attorney for other party)

(address of other party or attorney for other party continued)

Select one:

- by depositing a true copy of the same enclosed in a postpaid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.
- by personally delivering the same.

Signature of person serving the document

Printed Name

Sworn to before me this _____
day of _____

Notary Public