SAMPLE ORDER TO SHOW CAUSE #2

At a Criminal Term, Motion Part, of the Supreme Court of the State of New York, held in and for the County of _____ at the Courthouse located at _____, _____, New York, on the _____ day of _____, 20__.

PRESENT: Hon. _____, Justice

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____: CRIMINAL TERM

_____ X

IN THE MATTER OF THE APPLICATION OF _____, SPECIAL ASSISTANT ATTORNEY GENERAL FOR MEDICAID FRAUD CONTROL, FOR AN ORDER ADJUDGING _____, M.D., IN CONTEMPT OF COURT PURSUANT TO SECTIONS 750(A)(3) AND 751 OF THE JUDICIARY LAW FOR HIS WILLFUL DISOBEDIENCE TO THE LAWFUL ORDER TO MANDATE OF THE COURT FOR A PERIOD NOT TO EXCEED THIRTY DAYS, AND/OR FINING _____, M.D., A SUM OF MONEY NOT TO EXCEED $250,

ORDER TO SHOW CAUSE

INDEX NO. _____

_____, Petitioner

-against-

_____, M.D.,

Respondent.

_____ X

Upon reading the supporting affirmation of _____, Special Assistant Attorney General for Medicaid Fraud Control, State of New York, and the exhibits annexed thereto.

AND, it appearing that _____, M.D., has willfully disobeyed the lawful mandate of this Court by willfully and deliberately failing to appear and produce *in toto* before the Grand Jury, as ordered by me on _____, 20__, the documents commanded by a subpoena *duces tecum* dated _____, 20__,

IT IS HEREBY ORDERED that _____, M.D., appear before me at a criminal term of the Supreme Court of _____ County to be held at the Courthouse located at _____, _____, New York, Part __, on the _____ day of _____ 20__, at 9:30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, and show cause why an order should not be entered adjudging _____, M.D., guilty of criminal contempt and committing _____, M.D., to jail for a period not to exceed thirty (30) days and/or fining him a sum of money not to exceed $250.

Sample

Sufficient reason appearing therefor, personal service of a copy of this Order, together with the affirmation and exhibits on which it is based, upon _____, M.D., on or before the ____ day of _____, 20__ shall be deemed good and sufficient service.

Dated: New York, New York
_____, 20__

ENTER

_____/s/
[Name]
Justice of the Supreme Court
_____, 20__

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