

SAMPLE ORDER TO SHOW CAUSE #4

At a Criminal Term of the Supreme Court, of the State of New York, _____ County, held in Supreme Court, Part __, _____, _____, New York, on the __ day of _____, 20__.

PRESENT: Hon. _____

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 _____, ESQ., IN CONTEMPT OF COURT PURSUANT TO SECTIONS 750(A)(3), (4) AND 751 OF THE JUDICIARY LAW FOR HIS WILLFUL DISOBEDIENCE TO THE LAWFUL MANDATE OF THE COURT AND COMMITTING _____, ESQ., TO JAIL FOR A PERIOD NOT TO EXCEED THIRTY (30) DAYS AND FINING _____, ESQ., A SUM OF MONEY NOT TO EXCEED TWO HUNDRED FIFTY DOLLARS (\$250),

ORDER TO
SHOW CAUSE

INDEX NO.

_____, Petitioner,

-against-

_____, ESQ.,

Respondent.

_____ X

UPON a reading of the attached affirmation of _____, Special Assistant Attorney General, State of New York, and the supporting affidavits of Special Assistant Attorney General _____, and Special Investigator _____ and exhibit incorporated therein,

AND, it appearing that _____, Esq., having willfully disobeyed and resisted the lawful mandate of the Court, to wit: subpoena *duces tecum* issued during the trial of *People v.* _____, Indictment No. _____, by resisting and willfully and deliberately refusing to appear before the _____ County Supreme Court on _____, 20__, as a witness in the trial of the aforesaid indictment, it is hereby

ORDERED that _____, Esq., appear before me at a term of the Supreme Court to be held at the Courthouse, Part __, Criminal Term, _____, _____, New York, on the ____ day of _____, 20__, at 9:30 o'clock in the forenoon, and show cause why an Order should not

be entered pursuant to Sections 750(A)(3), (4) and 751 of the Judiciary Law adjudging _____, Esq., guilty of Criminal Contempt and committing him to jail for a period not to exceed thirty (30) days and fining him a sum of money not to exceed two hundred fifty dollars (\$250).

Sufficient reason appearing, personal service of a copy of this Order upon _____, Esq., together with the aforesaid affirmation, affidavits and exhibit upon which it is based, on or before the ___ day of _____, 20__, shall be deemed good and sufficient service.

Dated: _____, New York
_____, 20__

ENTER

_____/s/

[Name]

Justice of the Supreme Court

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