

\_\_\_\_\_ COURT OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

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THE PEOPLE OF THE STATE OF NEW YORK

AFFIRMATION

-against-

Index No. \_\_\_\_\_

[NAME],

Accused.

-----X

\_\_\_\_\_, an attorney admitted to practice in the State of New York, who is the attorney of record for the accused \_\_\_\_\_, hereby affirms under penalties of perjury, pursuant to CPLR 2106, that the facts set forth herein are true:

1. I am a member of the law firm \_\_\_\_\_, attorneys for the accused herein. I make this affirmation in support of the within motion.

2. The sources of my information and belief are conversations with the accused, a review of the court file, and my own investigation.

3. This accused is charged with \_\_\_\_\_ and related offenses.

4. I have spoken to my client to obtain the information necessary to prepare for his defense. Unfortunately, the indictment, [include here any sources of information received to date, such as the People's voluntary disclosure form, the items supplied in the Bill of Particulars, the information disclosed in their response to the Demand for Discovery, etc.] [does / do] not adequately inform the accused of the exact nature of the charges pending against him.

5. There is no other method by which I can obtain the information necessary to prepare for trial.

6. All of the information requested is necessary for the proper preparation of the trial in this matter. Without such information, the accused cannot adequately conduct a defense.

### **I. MOTION TO INSPECT, REDUCE OR DISMISS**

7. The accused is charged with having committed the crime(s) of \_\_\_\_\_. It is respectfully submitted that the evidence before the grand jury was not legally sufficient to establish any of the offenses charged or any lesser included offense. Therefore, it is respectfully submitted that each and every count of the indictment charging the accused with a crime must be