

At a term of the Supreme Court of New York
State, held for the County of _____, at
_____, New York on _____.

Supreme Court of the State of New York
County of _____

Plaintiff

vs.

Index no.
R.J.I. no.

Defendant

ORDER DISMISSING ACTION

This matter being before the court pursuant to C.P.L.R. § 3211 on the Motion to Dismiss of the Defendant, _____, for the Plaintiff's failure to properly serve the Defendant under C.P.L.R. §308 as the sole notice of the action was a Summons mailed to the Defendant by the Plaintiff, and the Plaintiff having appeared, and there being no opposition nor appearance by the Plaintiff,

IT IS HEREBY FOUND that the Defendant was not properly served, and

IT IS ORDERED that the case is dismissed with/without costs and disbursements to the Defendant.

SO ORDERED.

Dated:

Hon.
Supreme Court Judge