

**SAMPLE ORDER TO SHOW CAUSE CONTAINING  
TEMPORARY RELIEF AND BRINGING ON MOTION  
ONLY**

by

**JAMES S. RANOUS, ESQ.**

Deputy Clerk of the Court  
New York State Supreme Court  
Appellate Division Third Department  
Albany



SAMPLE ORDER TO SHOW CAUSE CONTAINING TEMPORARY RELIEF  
AND BRINGING ON MOTION ONLY

STATE OF NEW YORK SUPREME COURT  
APPELLATE DIVISION THIRD DEPARTMENT

-----

JOE PLAINTIFF,  
Appellant (or Respondent),

ORDER TO SHOW CAUSE

v

MARY DEFENDANT,  
Respondent (or Appellant).

-----

Upon the affidavit of Joe Plaintiff (or Mary Defendant), the plaintiff (or defendant) in the above matter, and upon the exhibits annexed thereto,

LET the defendant (or the plaintiff) in this matter show cause before this Court on the \_\_\_\_ day of \_\_\_\_\_, 201\_ at 9:30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, why an order should not be granted staying the order of \_\_\_\_\_ Court, \_\_\_\_\_ County, entered \_\_\_\_\_, 201\_, pending determination of the appeal that has been taken from such order, and for such other and further relief as this Court may deem just and appropriate. Sufficient reason appearing therefore, it is

ORDERED that the above-referenced order of \_\_\_\_\_ Court is hereby stayed pending determination of the motion brought on by this order to show cause, and it is further

ORDERED that personal or overnight mail service of a copy of this order to show cause and the papers upon which it is granted upon the attorney for defendant (or plaintiff) on or before the \_\_\_\_ day of \_\_\_\_\_, 201\_ shall be deemed good and sufficient service thereof, and it is further

ORDERED that the motion brought on by this order to show cause shall not be orally argued unless counsel are notified to the contrary by the Clerk of the Court.

DATED: \_\_\_\_\_, New York  
\_\_\_\_\_, 201\_

\_\_\_\_\_  
HONORABLE XXXXXXXXXXXXX  
Associate (or Presiding) Justice  
Appellate Division,  
Third Judicial Department

