SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF WESTCHESTER

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

XXXX. Index XXXXX-20XX

Plaintiff,

AFFIDAVIT IN SUPPORT OF

  EMERGENCY

ORDER TO SHOW CAUSE

-against-   TO LIFT BANK RESTRAINT

AND GARNISHMENT

YYYYY,

Defendant.

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COUNTY OF XXXXX )

STATE OF NEW YORK ) SS.

XXXX, being sworn, deposes and says:

1. I am the Defendant in the above-captioned action and make this affidavit in support of my emergency order to show cause.

[or 1.] I am the Defendant in the above-captioned action and make this statement in support of my emergency order to show cause. I cannot safety have this statement notarized in person and I do not have the technology to have it notarized by video.

2. My application is an emergency. The judgment against me in this case is being enforced by a restraint on my bank account [and/or] a garnishment on my wages. The judgment is attached as **Exhibit A**. The restraint [and/or] garnishment order is attached as **Exhibit B.** The funds I cannot access [or] my reduced wages make me unable to pay for necessary items, including [describe]

I have/have not received a stimulus check pursuant to the CARES Act.

I have filed for unemployment and have not received a decision [or] was denied.

[or] I am not eligible for unemployment because [describe]

[or] I have not yet been able to apply for unemployment because [describe any difficulty getting through on phone or website].

I do/do not have SNAP. SNAP does not cover essential items including cleaning supplies and personal hygiene products.

[and, if applicable] My finances have otherwise been adversely affected by the Covid crisis because [describe], and this enforcement is a further hardship.

3. There is a judgment against me based on a default. I have reviewed the affidavit of service, attached as **Exhibit B**. I dispute that I was properly served because [describe]

[or 3] There is a judgment against me based on a default. I have reviewed the affidavit of service attached as **Exhibit B**. I have a reasonable excuse for not answering because [describe]

[or 3] I have not been able to access the affidavit of service because [describe] and request that the Plaintiff provide it and that I be able to make a further submission to respond to it.

4. I have defenses to this case, including [list]. My proposed answer is attached as **Exhibit C**.