

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

X

What's Her Name, o/b/o
Child,

Petitioner,

**NOTICE OF MOTION
(Hon. John B. Pessala, J.F.C.)
(For Submission)**

-against-

Index No. O-06-0000

You Know Who,

Respondent.

X

SIRS:

PLEASE TAKE NOTICE, that upon the annexed Affirmation of John M. Zenir, Esq., attorney for Respondent herein, dated July 28, 2003, and upon all the proceedings heretofore had herein, the undersigned will move this Court on behalf of _____, Respondent herein, at the Family Court located at 1200 Old Country Road, Westbury, New York 11590, at 9:00 o'clock in the forenoon on August 28, 2003, or as soon thereafter as counsel can be heard, for an Order granting the following relief:

1. Dismissing in its entirety the Petitioner's Petition seeking an Order of Protection since this Court does not have jurisdiction over the parties to grant an Order of Protection, nor does this Court have jurisdiction over the acts claimed in the Petition pursuant to Article 8 of the Family Court Act.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR 2214(b) answering affidavits are required to be served upon the undersigned at least seven (7) days before the return date of this motion.

WHEREFORE, Respondent respectfully prays that the relief sought in the
Notice of Motion will be granted in its entirety.

Dated: July 28, 2003
Mineola, New York

JOHN M. ZENIR, ESQ.
114 Old Country Road, Suite 350
Mineola, New York 11501
(516) 746-0180
22 NYC RR 130-1.1-a

TO: CLERK OF THE COURT
Nassau County Family Court
1200 Old Country Road
Westbury, New York 11590
Attn: Motion Support
Room 108

Hon. John B. Pessala, J.F.C.
Nassau Family Court
1200 Old Country Road
Westbury, NY 11590

ALL ATTORNEYS ON THE MATTER