F.C.A. ART. 5-B, PART 6A

UIFSA-12

[**NOTE**: Information Form 4-5/5-1-d, social security numbers of parties and dependents, must be filed with this Petition]

(Petition to Vacate Registration   containing of Out-of-State Child Support Order)

(8/2010)

FAMILY COURT OF THE STATE OF THE NEW YORK
COUNTY OF _____

_____

In the Matter of the Registration of
a Out-of-State Support Order pursuant to   Docket No.

Article 5-B, Part 6A of the Family Court Act[1]

                                                                    PETITION TO VACATE
                                                                    REGISTRATION OF OUT-OF-
                          Petitioner   STATE SUPPORT ORDER

        - against-

                          Respondent

_____

TO THE FAMILY COURT:
    The undersigned respectfully shows that:

    1.   _____ ,the appellant herein, the non-registering party, was the Respondent in the above-captioned proceeding and resides at [address]:

    2.   _____ , the registering party, was the Petitioner in the above-captioned proceeding and resides at
                                                                                    .

    3.   On the _____ day of _____ , _____ , an order of support made by the _____ Court of the State of _____ was registered in the Family Court of the County of_____ , State of New York.

_____

        [1]Use caption as in original proceeding

4(a)   Said registration should be vacated because (check all appropriate boxes)

☐   The issuing tribunal lacked personal jurisdiction over the contesting party;

☐   The order was obtained by fraud;

☐   The order has been vacated, suspended, or modified by a later order;

☐   The issuing tribunal has stayed the order pending appeal;
☐   There is a defense under the law of this state to the remedy sought;

☐   Full or partial payment has been made; or

☐   The statute of limitation under section 580-604 (choice of law) precludes enforcement of some or all of the arrearage.

4(b).   The registered order should be enforced for arrears only because the order of the State of _____,dated _____, should be recognized as the controlling order.

5.   No previous application has been made to any court or judge for the relief herein requested (except)

    WHEREFORE, Applicant requests an order be vacating the registration of the out-of-state support order.

Dated:

_____
Applicant

_____
Print or type name

_____
Signature of Attorney, if any

_____
Attorney's Name (Print or Type)
_____
_____
_____
Attorney's Address and Telephone Number

VERIFICATION

STATE OF NEW YORK   )
)ss.:
COUNTY OF   )

being duly sworn, says that (s)he is the Petitioner in the above-named proceeding and that the foregoing petition is true to (his)(her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

_____
Petitioner

Sworn to before me this
   day of

_____
(Deputy) Clerk of the Court
   Notary Public