

_____ Court, State of New York, County of _____,
at the Courthouse at _____
PRESENT: Hon. _____

vs.

Respondent

FIREARMS SEARCH and SEIZURE ORDER

Docket/Case No. _____
(Check one)
 Ex parte
 Respondent Present in Court

The Court, having issued an order of protection against the Respondent on _____, and having ordered that Respondent is prohibited from purchasing, possessing or attempting to purchase or possess a firearm, rifle or shotgun and that Respondent shall immediately surrender any and all firearms, rifles and shotguns owned or possessed and any licenses issued to carry, possess, repair, and dispose of such weapons, and the Court having reasonable cause to believe that the Respondent has willfully refused to surrender such firearms, rifles, shotguns or licenses or for other good cause and the Court having reason to believe that such firearms, rifles, shotguns or licenses may be found in or upon the place, premises, vehicle, or person(s) specified below, it is hereby:

ORDERED that, upon service of this order, the designated law enforcement agency shall immediately seize all firearms, rifles, shotguns and licenses issued to carry, possess, repair, and dispose of such weapons in Respondent's possession pursuant to the existing order of protection and shall conduct a search and take possession of all such firearms, rifles, shotguns and licenses that are in plain sight or that are discovered pursuant to said search and shall immediately notify the Court of such surrender or seizure, and it is further;

ORDERED that _____ shall conduct a search consistent with the
Law Enforcement Agency

procedures set forth in Article 690 of the criminal procedure law for firearms, rifles, shotguns and licenses issued to carry, possess, repair, and dispose of such weapons in Respondent's possession, and upon any surrender or seizure pursuant to this search order, the executing officer must:

- i. Write and subscribe a receipt itemizing the property taken and containing the name of the Court by which the search order was issued. The receipt shall be provided to Respondent or, where Respondent is not the owner, tenant or other person in possession, to the owner, tenant or other person in possession of the property.
- ii. Without unnecessary delay, return to the Court the order and file with the Court a written inventory of such property, subscribed and sworn by such officer.

_____ shall search as follows:

Law Enforcement Agency

[Check all that apply; provide a specific description of the person, premises and/or vehicle(s) to be searched]:

Person: _____

Premises: _____

Vehicle(s) _____

You must indicate what times the search may be conducted (check one only):

- The search must be made between the hours of 6:00 a.m. and 9:00 p.m.
- The Court, satisfied of the existence of grounds described in CPL 690.35(4) as supported by the above described allegations of fact, authorizes that the search may be made at any time of the day or night.

ORDERED that the Respondent's firearms license, if any, is hereby suspended revoked and that the Respondent is ineligible to obtain a license and is prohibited from possessing any firearms, rifles or shotguns.

AND IT IS FURTHER ORDERED *[specify]*:

Dated: ___/___/_____

JUDGE OF THE FAMILY COURT

Check Applicable Box(es):

- Party against whom order was issued was advised in Court of issuance and contents of Order
- Order personally served in Court upon party against whom order was issued
- Service directed by other means *[specify]*:

 Additional service information *[specify]*:

 The Court, having notice of the fact that the Respondent is a patient in a certified Office of Mental Health (OMH) facility on the date of this order, hereby authorizes service upon the Respondent at such facility pursuant to 14 NYCRR 22.2.

CC: _____

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OR ELECTRONIC TRANSMISSION OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.