

STATE OF NEW YORK
_____ COURT : COUNTY OF ERIE

THE PEOPLE OF THE STATE OF NEW YORK

Plaintiff

**NOTICE OF MOTION
FOR ORDER EXCLUDING
PUBLIC FROM FELONY
COMPLAINT HEARING**

-VS-

Ind. No.

CLIENT'S NAME

Defendant

SIRS:

PLEASE TAKE NOTICE, that upon the annexed affidavit of _____, ESQ., sworn to DATE, the felony complaint herein dated DATE, and upon all the proceedings heretofore had herein, the undersigned will move this court, at a term thereof, to be held at the County Courthouse located at ADDRESS, Erie County, on the ____ day of _____, _____, at ____ o'clock in the fore/after noon of that day or as soon thereafter as counsel can be heard, for an order, pursuant to [N.Y. Crim. Proc. Law § 180.60](#) (9), excluding the public from a hearing on said felony complaint and directing that no disclosure be made of the proceedings, and for such other and further relief as to the court may seem just and proper.

Dated:

Yours, etc.,

_____, ESQ.,
Attorney for Defendant, _____
Office and P.O. Address
ADDRESS
Tel. No.

TO: **HON.** _____
NAME OF COURT
ADDRESS OF COURT

FRANK A. SEDITA, III., ESQ.
Erie Couknty District Attorney
Erie County District Attorney's Office
25 Delaware Avenue
Buffalo, NY 14202
ATTN: _____

STATE OF NEW YORK
_____ COURT : COUNTY OF ERIE

THE PEOPLE OF THE STATE OF NEW YORK

Plaintiff

-vs-

**AFFIRMATION IN SUPPORT
OF MOTION BY DEFENDANT
EXCLUDING PUBLIC FROM
FELONY COMPLAINT
HEARING**

Ind. No.

CLIENT'S NAME

Defendant

_____, ESQ., an attorney admitted to practice before the courts of this state,
affirms the following as true, under the penalties of perjury:

1. That I am the attorney for the defendant, NAME OF CLIENT and is duly authorized by him to make the application hereinafter set forth.
2. That on DATE, a felony complaint was filed in this court, charging the defendant, NAME OF CLIENT with the crime of SPECIFY OFFENSE(S). A copy of said felony complaint is attached hereto as Exhibit *[designation of exhibit]*. The defendant was arraigned in this Court on DATE.
3. That the defendant requests that the public be excluded from the hearing on said felony complaint and that no disclosure be made of the proceedings because *[there is strong likelihood that evidence admissible at this particular hearing would prejudice defendant's trial if it were disclosed to potential jurors/disclosure would cause risk of grave harm]*, due to the following circumstances: *[allegations as to the type of evidence and/or the risk of harm]*.

WHEREFORE, your deponent prays for an order of this Court excluding the public from the

hearing on the aforesaid felony complaint and directing that no disclosure be made of the proceedings.

DATED:

_____, **ESQ.**,
Attorney for Defendant,
Office and P.O. Address
ADDRESS
Tel. No.