

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_

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In the Matter of the Application of

\_\_\_\_\_

Index No. \_\_\_\_\_

For the Appointment of a Guardian of  
the Person and Property of

VERIFIED PETITION  
(With Request for Temporary  
Restraining Order and  
Injunction)

\_\_\_\_\_

A Person Alleged To Be Incapacitated.

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TO THE SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_:

The petition of \_\_\_\_\_, respectfully shows upon information and belief:

1. Your Petitioner, resides at \_\_\_\_\_, \_\_\_\_\_, New York  
\_\_\_\_\_, telephone \_\_\_\_\_. Petitioner is a friend concerned with the welfare of  
\_\_\_\_\_, an alleged incapacitated person, and commences these proceedings  
pursuant to Article 81 of Mental Hygiene Law for the appointment of \_\_\_\_\_  
as Guardian of the person and property of \_\_\_\_\_.

2. \_\_\_\_\_, the person alleged to be incapacitated, is a widow; she is \_\_\_ years  
of age; her date of birth is \_\_\_\_\_, and she has no issue and no brothers or sisters. Upon  
information and belief she has a first cousin, to wit, \_\_\_\_\_, who is the son of her  
deceased mother's brother, and who resides at [Address], but who is unable to become involved.  
Her husband, \_\_\_\_\_, died on [date]. \_\_\_\_\_ had resided with her husband in  
one of the apartments in a three-family house located at [Address], telephone \_\_\_\_\_.  
\_\_\_\_\_ is presently living alone in the aforesaid apartment and she requires the  
assistance of a home health aide for 12 hours per day.

**[NOTE: In order to hear a case the court must have jurisdiction pursuant to Mental  
Hygiene Law sec. 81.17. This means that New York must be the AIP's home state, or it must be a  
significant connection state, or the home state and all significant connection states must have  
declined jurisdiction, or there must be a basis for special jurisdiction. The term "home state" is  
defined in Mental Hygiene Law sec. 83.03(e). The term "significant connection state" is defined in**