

At IAS Part \_\_\_\_ of the Supreme Court of the State of New York, held in and for the County of \_\_\_\_\_, at the Courthouse thereof, \_\_\_\_\_, \_\_\_\_\_, New York, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

P R E S E N T:

HON. \_\_\_\_\_  
Justice

-----X  
In the Matter of the Petition of

\_\_\_\_\_,  
Guardian of the Person and Property of  
\_\_\_\_\_,  
An Incapacitated Person,

Index No.

**ORDER TO SHOW CAUSE  
FOR SALE OF  
REAL PROPERTY<sup>1</sup>**

For a Judgment Authorizing the Sale of Certain Real Property Belonging to the Said Incapacitated Person.

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On reading and filing the Petition of \_\_\_\_\_, Guardian of the person and property of \_\_\_\_\_, an incapacitated person, duly verified on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the appraisal of \_\_\_\_\_, duly sworn to on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_; and on the contract of sale executed by and between the Petitioner and \_\_\_\_\_, dated the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, all of which are annexed to the aforesaid Petition,

LET \_\_\_\_\_, the incapacitated person herein, \_\_\_\_\_, by his attorneys, \_\_\_\_\_, and the Surety herein, to wit, \_\_\_\_\_, show cause at an IAS, Part \_\_\_\_, Room \_\_\_\_ of this Court on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_ [A.M./P.M.] in the [forenoon/afternoon] of that day, or as soon thereafter as Counsel can be heard,

WHY an Order should not be made authorizing the sale of certain real property belonging to the said incapacitated person to \_\_\_\_\_ pursuant to the contract of sale executed by the parties thereto on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_; and

WHY an Order should not be made authorizing the attorney for the Guardian to make application to this Court at the conclusion of the within proceedings for a fee to be paid to the said attorney from the proceeds of the Incapacitated person's estate for her legal services rendered herein; and

WHY the Petitioner should not have such other and further or different relief as to this Court seems proper.

SUFFICIENT REASON APPEARING THEREFOR,

1 Pursuant to N.Y.C.R.R. tit. 22, § 130-1.1a(a) an attorney signature is required. An attorney can comply by signing one of the following as long as it accompanies the papers: a cover page, a litigation back or a separate certification. Many counties have their own local forms. You should consult with the clerks of the court in which you are commencing this proceeding before using this form.

\*Pursuant to art. 17 of the Real Property Actions and Proceedings Law.