

# FILLING OUT THE NOTICE OF APPEARANCE

**STEP 2: FILL OUT THE FIRST PAGE OF THE NOTICE OF APPEARANCE** - Fill out the first page of the form as indicated below, including signature, current address, and your current and most reliable telephone number. Don't forget to date the document!

STATE OF NEW YORK  
SUPREME COURT

COUNTY OF MONROE

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NATIONAL TRUST COMPANY, AS TRUSTEE OF THE AMERICAN INDEX MORTGAGE LOAN TRUST 2005-AR14, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-AR14 UNDER THE POOLING AND SERVICING AGREEMENT DATED JUNE 1, 2005

Plaintiff,

v.

BETSY ROSS

"JOHN DOE #1" to "JOHN DOE #10," the last 10 names being fictitious and unknown to plaintiff, the persons or parties intended being the persons or parties, if any, having or claiming an interest in or lien upon the mortgage premises described in the verified complaint,

Defendants.

Index No. 2011-12345  
Date Filed: 12/5/2011

SUMMONS

Plaintiff designated Monroe county as the place of trial based on the mortgaged premises in the action.

Plaintiff's principal place of business is 5000 Golden Parkway, Suite 200, Topeka, Kansas 66601

To the above-named defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with the summons, to serve a notice of appearance, on the plaintiff's attorneys within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF Monroe

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National Trust Company  
As Trustee, et al

Plaintiff

INDEX NO: 2012-12345

-against-

Betsy Ross, et al

Defendant

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NOTICE OF APPEARANCE

1. My name is Betsy Ross and I am the defendant in this case.
2. I enter my pro se appearance in this matter and demand receipt of all documents filed in this case, as well as notice of all further proceedings.
3. I will represent myself, unless I or an attorney notify you otherwise. No attorney will represent me in this case.
4. All court papers may be mailed to me by first class mail at the address listed below.
5. My mailing address where I will accept legal documents is as follows:

Service address:

123 Main Street  
(Street address)

Orangetown, NY, 12345  
(Town/City, State, Zip Code)

(123) 456-7890  
(Telephone Number(s))

Betsy Ross  
(Sign your name)

Betsy Ross  
(Print your name)

Dated: January 5, 2012

**STEP 1: FILL OUT THE "CAPTION" OF THE NOTICE OF APPEARANCE** - As shown in the sample Notice of Appearance above, fill in the top part of the Notice of Appearance form (known as the "Caption") by copying the necessary information from the Summons or Complaint.

**STEP 3: MAKE 3 COPIES OF THE NOTICE OF APPEARANCE**

**STEP 4: "SERVE" THE PLAINTIFF'S ATTORNEY**

Ask someone **other than yourself** who is at least 18 years old and **not a Defendant** in the lawsuit to "serve" the first copy of the Notice of Appearance on Plaintiff's attorney at the address listed on the Summons and Complaint. The easiest way to "serve" the Notice of Appearance is to arrange for the person to send it by certified mail, return receipt requested, or by overnight delivery service. **Be sure to keep the proof of mailing and delivery.**

**STEP 5: FILL OUT THE AFFIDAVIT OF SERVICE**

The person who "served" the copy of the Notice of Appearance on the Plaintiff's attorney from step 4, must fill out the Affidavit of Service in front a Notary Public and have it notarized. You can often find a Notary Public at a branch of your local bank. Please be aware they may charge a small fee for this service.

**STEP 6: DATE STAMP AND FILE THE NOTICE OF APPEARANCE AT COUNTY CLERK**

Bring the original Notice of Appearance, the remaining two copies of the Notice of Appearance, the original notarized Affidavit of Service and a copy of the notarized Affidavit of Service to your County Clerk's office. (See list of the local area court clerks included in the front folder pocket of this guide.) At the County Clerk's office, state that you wish to file a Notice of Appearance. Be sure to ask the clerk to "time-stamp" the original Notice of Appearance, the original Affidavit of Service, the two copies of the Notice of Appearance, and the copy of the Affidavit of Service so that you have proof of the date and time you filed your documents. Keep for your records a time stamped copy of the Notice of Appearance and a stamped copy of the Affidavit of Service.

**AFFIDAVIT OF SERVICE**

I, Betsy Ross, served the within Notice of Appearance on Plaintiff's attorney as follows (attorney's name and address):

Lawyer Bob  
555 South Street  
Anywhere, NY 12345

I served the Verified Answer by the following method (check all that apply):

first class mail  
 certified mail  
 certified mail, return receipt requested  
 overnight delivery service  
 facsimile  
 personal delivery.

on the 1<sup>st</sup> day of January, 2013.

I am eighteen years or older and I am not a Defendant in this lawsuit.

Betsy Ross  
Signature:  
Betsy Ross  
Print Name:

Sworn to and subscribed before me on this  
3<sup>rd</sup> day of January, 2013

Abraham Lincoln  
Notary Public

**STEP 7: FILE THE NOTICE OF APPEARANCE AT THE SUPREME COURT CLERK**

Go to the Supreme Court Clerk's office with your third copy of the Notice of Appearance. (See list of local area court clerks included in the front pocket of this guide.) Tell the clerk you would like to file a Notice of Appearance. Sometimes the court clerk will not accept a notice of appearance before your first settlement conference. Do not worry. Just bring your copies to your conference and hand it to the judge.

**STEP 8: APPEAR AT YOUR SETTLEMENT CONFERENCE**