
YOUR CITY, TOWN, VILLAGE COURT

Address, City, State, Zip

Your Name

Petitioner

- Against -

City, Town, Village Court Prosecutor

Respondent

Jurisdiction: Court of Record, under
the rules of Common Law¹

Case no: **SEE TICKET ATTACHED**

NOTICE OF SPECIAL APPEARANCE

PLEASE TAKE NOTICE that, **Your Name** hereby appears in the above-entitled commercial code violation by the undersigned who is appearing on his own behalf in this commercial traffic court complaint by special appearance² for the purpose of testing the sufficiency of the jurisdiction of the court. All papers in this Action is to be addressed to the address below.

Dated, **Your County**, New York, **Date**

SEAL

Your Name, in pro per

Your Address

City, State, Zip

Tel (ooo) 000-0000

¹ "A Court of Record is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial". Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

² A special appearance is for the purpose of testing the sufficiency of service or the jurisdiction of the court; a general appearance is made where the defendant waives defects of service and submits to the jurisdiction. [State v. Huller, 23 N.M. 306, 168 P. 528, 534, 1 A.L.R. 170.] Special appearance - An appearance may be either general or special; the former is a simple and unqualified or unrestricted submission to the jurisdiction of the court, the latter a submission to the jurisdiction for some specific purpose only, not for all the purposes of the suit. [Louisville & N. R. Co. v. Industrial Board of Illinois, 282 Ill. 136, 118 N.E. 483, 485.]