**STATE OF NEW YORK: SUPREME COURT**

**COUNTY OF** **ERIE**

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STEPHEN J. CRISSEY

067-38-1440

Plaintiff,

-against-

CAROL J. CRISSEY

059-46-7006

Defendant.

Index No.: SF-2008-900393

**AFFIDAVIT OF REGULARITY**

**ACTION FOR DIVORCE**

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STATE OF NEW YORK, COUNTY OF ERIE ss:

I, STEPHEN K. UNDERWOOD, ESQ., affirms, pursuant to CPLR 2106:

1) That I am an attorney at law, duly licensed to practice my profession in the state of New York, and as such am familiar with the facts and circumstances herein.

2) As more fully appears from the Affidavit of Service, defendant was duly and personally served with the summons on April 9, 2008.

3) There was legibly written on the face of the summons the words **“Action for Divorce”**.

4) The Summons with Notice was filed in the Erie County Clerks Office on February 15, 2008.

5) The Defendant has appeared on Defendant's own behalf and executed an affidavit agreeing that this matter be placed on the matrimonial calendar immediately.

WHEREFORE, I respectfully ask that this action be placed on the undefended matrimonial calendar.

I state under the penalty of perjury that the statements herein made are true, except as to such statements as are based on information and belief, which statements I believe to be true.

**Dated:**

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STEPHEN K. UNDERWOOD, ESQ.