

STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_

\_\_\_\_\_ Court  
(Supreme, County, District, City, Town, Village)

\_\_\_\_\_ District [*if District Court*]  
\_\_\_\_\_ of \_\_\_\_\_  
(City, Town, Village)

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The People of the State of New York )  
 )  
-against- )  
 )  
\_\_\_\_\_, )  
Defendant )

**Notice of Opposition to Motion for Order  
Terminating Prosecution Pursuant to  
CPL §180.85**  
Docket/Case No. \_\_\_\_\_

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**PLEASE TAKE NOTICE** that [*check one*]  the Defendant  the People in the above-captioned case, having received notice of the filing with the court of a Motion for an Order Terminating the Prosecution in this case pursuant to CPL §180.85, and having been notified that the return date on such motion is \_\_\_\_\_, 20\_\_\_\_, hereby **OPPOSE** the granting of such Order by the Court. Please take further notice that, in accordance with such §180.85, the Court, on such return date will either deny such Motion or, where such Notice of Opposition is filed by the People, may defer disposition thereof for 45 days, unless the Court, prior to such return date, is divested of jurisdiction of the action by the filing of an indictment with the appropriate Superior Court. It is understood that a party wishing to be heard in this matter may appear on such return date for such purpose.

SIGNED: \_\_\_\_\_  
[*check one*]  Defense Attorney or Defendant  Prosecutor

DATED: \_\_\_\_\_

TO [*Non-moving Party*]:

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**NOTICE TO PARTIES**

**PLEASE TAKE NOTICE THAT**, pursuant to CPL §180.85, this Notice of Opposition must be filed with the Court prior to the return date specified herein.