

NEW YORK APPELLATE DIVISION – THIRD DEPARTMENT
RECORD ON APPEAL FROM AN INTERLOCUTORY ORDER REQUIREMENTS

- ◆ **COVER §1250.7(b)(1)** The cover must contain the title of the cause on the upper portion. The lower portion must include the names, addresses, telephone numbers and email addresses of the attorneys, the county clerk's index or file number, the docket or other identifying number or numbers used in the court from which the appeal is taken, and the superior court information or indictment number.
- ◆ **STATEMENT PURSUANT TO CPLR 5531 §1250.7(b)(2)** A description of action statement, as set forth by CPLR 5531.
- ◆ **TABLE OF CONTENTS §1250.7(b)(3)** The table of contents shall list and describe each document. For transcript of testimony, the table shall separately list each witness and the page at which direct, cross, redirect and re-cross examinations begin. For exhibits, the table shall indicate the nature or contents of each exhibit, the page in the record where it is reproduced, and where it is admitted into evidence.
- ◆ **NOTICE OF APPEAL §1250.7(b)(4)** Notice of Appeal
- ◆ **ORDER APPEALED §1250.7(b)(4)** Order being appealed
- ◆ **MEMORANDUM DECISION §1250.7(b)(4)** Decision, if any
- ◆ **MOTION PAPERS §1250.7(b)(4)** Shall contain the Notice of Motion or Order to Show Cause, supporting affidavits and any attached exhibits, Affidavits in Opposition and any attached exhibits, Reply Affidavits in Further Support and any attached exhibits.
- ◆ **SETTLED AND CERTIFIED TRANSCRIPT §1250.7(b)(4), §1250.7(f)** A properly settled transcript of any hearings.
- ◆ **AFFIRMATION, CERTIFICATION, STIPULATION OR ORDER SETTLING TRANSCRIPT OR STATEMENT §1250.7(b)(5)** If the record includes a transcript of the stenographic minutes of the proceedings or a statement in lieu of such transcript, such transcript or statement shall first be either stipulated as correct by the parties or their attorneys or settled pursuant to CPLR 5525.
- ◆ **CERTIFICATION PURSUANT TO CPLR 2105 OR STIPULATION PURSUANT TO CPLR 5532 WAIVING CERTIFICATION OR CERTIFICATE BY PROPER CLERK §1250.7(g)**