

**NOTE:** This sample document contains a wholly fabricated scenario and is only to be used as a reference point *prior to* conducting your own independent legal research and factual investigation. The footnotes in this sample document are intended to be included as integral parts of the affidavit. The endnotes provide additional information and practice tips to help users of this sample document.

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SUPREME COURT: STATE OF NEW YORK  
COUNTY OF NEW YORK: PART \_\_

-----X

THE PEOPLE OF THE STATE OF NEW YORK

-against-

AFFIRMATION IN  
SUPPORT OF MOTION  
Dckt. NO. \_\_\_\_\_

CLIENT

-----X

PRIOR LAWYER, ESQ., an attorney duly admitted to practice law in the State of New York, affirms under penalty of perjury that:

1. I represented Mr. Client in Dckt. No. \_\_\_\_\_, which was originally filed as criminal possession of a controlled substance in the seventh degree (N.Y. Penal Law § 220.03).
2. I have no specific recollection of providing Mr. Client with any advice as to immigration consequences. My file does not contain any notes indicating that I advised Mr. Client that the conviction would render him deportable.
3. In March 2009, I understood that a controlled substance conviction was a deportable offense, and if a client told me that he was a green card holder I would advise him that the plea would make him deportable but that if he stayed out of jail he would probably not get deported.
4. In March 2009, it was not my practice to ask about citizenship status in every case, although currently it is my practice to do so.

DATED: NEW YORK, NEW YORK  
\_\_\_\_\_, 2014

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PRIOR LAWYER, ESQ.