§ 801. Provisional remedies; procedure.

Whenever the remedies set forth in § 209 of this act may issue out of this court under the terms of said section, practice and procedure thereon shall be governed, insofar as consistent with this act, by the CPLR and such other provisions of law governing practice and procedure thereon in the supreme court, subject to the following:

(a) The remedy may be executed only within the county, against persons or property within the county.

(b) When a return is required, the return shall be made to the clerk of this court in the district out of which the remedy issued.

(c) 1. Where a notice of pendency may be filed with the county clerk, pursuant to § 209(d) of this act, the original complaint shall be filed simultaneously with such county clerk; service of summons shall thereafter be made within the time provided in CPLR § 6512. A copy of the complaint shall be sufficient for the purpose of filing the same, after service thereof, with the clerk of this court.

2. Where a notice of pendency is filed with the county clerk after the action has been commenced in this court, a copy of the complaint may be filed therewith in lieu of the original complaint.