

**UNITED STATES COURT OF APPEALS
TENTH CIRCUIT**

Office of the Clerk
Byron White United States Courthouse
Denver, Colorado 80257
(303) 844-3157

<http://www.ca10.uscourts.gov>

Elisabeth A. Shumaker
Clerk of Court

Douglas E. Cressler
Chief Deputy Clerk

INSTRUCTIONS FOR CALENDARED CASES

PLEASE READ CAREFULLY

The United States Court of Appeals for the Tenth Circuit will convene at the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado 80257. Please see the Calendar Notice/Acknowledgment Form for case and date information. Counsel is required to visit our website <http://www.ca10.uscourts.gov> for important calendar information, answers to frequently asked questions, and downloading required forms that must be filed with the court prior to oral argument.

All counsel must complete, and file the Calendar Acknowledgment Form via electronic case filing (ECF) within ten (10) days of receipt of this notice. This form **MUST BE RETURNED** even if counsel will not present oral argument or the case is being submitted on the briefs. Failure to file this form may result in sanctions levied against the responsible counsel. However, the only exception is counsel for Amicus Curiae. These parties do not argue without the permission of the court, therefore their attorneys need not return an acknowledgment form.

Counsel arguing cases must report to the office of the clerk at least 45 minutes before court convenes.

No more than **fifteen (15) minutes per side** is allotted for oral argument. Related cases will be argued as one case. Where division of time among counsel representing one side is needed, counsel should make that division prior to appearance for argument. See 10th Cir. R. 34.1. You are advised that the court routinely records oral arguments for the exclusive use of the court. However, upon proper motion, the Court may allow a copy of the oral argument recording to be released to counsel. See 10th Cir. R. 34.1(E).

ALL MOTIONS CONCERNING CALENDARED CASES MUST BE FILED EXPEDITIOUSLY in the office of the clerk. See 10th Cir. R. 34.1. Responses to the motions are due within seven (7) days after receipt thereof. Motions and responses must be filed accordance with the Federal Rules of Appellate Procedure and the Tenth Circuit Rules. All motions shall be filed by ECF. See 10th Cir. R. 25.

Any party who desires to waive oral argument and to submit a case on the briefs may file a motion to this effect. Such motion should be filed no later than ten (10) days before the scheduled date for oral argument. See 10th Cir. R. 34.1(A)(2). Unless the court orders submission on the briefs, attendance at oral argument is required. If parties are represented by more than one attorney, only one attorney is required to appear for argument. Other attorneys for the same parties must acknowledge notice of oral argument and advise the court of their intention to absent themselves by completing and filing an oral argument acknowledgment form, but need not file a formal motion to be excused.

Your attention is directed to 10th Cir. R. 33.1 regarding mediation conference.

A letter setting forth citations of pertinent supplemental authorities may be filed with the clerk. See Fed. R. App. P. 28(j). Reference must be made in the letter to the page(s) of the brief to which the citations pertain. The letter shall state the reasons for the supplemental citations. If a citation is not readily available, copies of the opinion should be attached to the letter.

NOTE: If you are an attorney for the defendant in a criminal appeal or represent the petitioner in a habeas corpus or immigration matter, you must complete and return the custody status questionnaire. That form must be obtained by going to our website, <http://www.ca10.uscourts.gov> and clicking on the Argument Calendar Tab.

The names of the members of the hearing panels will be available the Monday before the week of argument by checking our website, <http://www.ca10.uscourts.gov> and clicking on the Argument Calendar Tab.

IMPORTANT NOTICE

Oral Argument Calendar Denver, Colorado

In order to avoid unnecessary telephone calls to the clerk's office, please read this and the calendared case instructions cover letter.

Please note that on the Calendar Notice/Acknowledgment Form where it states Courtroom/Place, that is the Courtroom where you will argue. These arguments will be held at the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado.

Each case is allotted 30 minutes for oral argument (15 minutes per side), which means that if your case is the third submission, and the session starts at 9:00 a.m., you would be arguing at approximately 10:00 a.m. However, regardless of where your case falls on the docket, all arguing attorneys must check in with the clerk's office front desk no later than 45 minutes before the court session begins, as indicated on the calendar notice/acknowledgment form. Do not plan to check in forty five minutes before your particular argument is supposed to start.

If two or more cases are to be argued as a single matter, they will all be listed on one Calendar Notice/Acknowledgment Form. If two or more cases are related but you receive a notice for each one individually, that means each case will be argued separately with 30 minutes allowed for each case.

The panels for the week are posted on the website one week prior to commencement of the session. Counsel is required to visit our website for important calendar information, answers to frequently asked questions and downloading required forms that must be filed with the court prior to oral argument.

Our oral argument calendars and other useful information are found on our website <http://www.ca10.uscourts.gov> under the Argument Calendar tab.