

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

Plaintiff/Petitioner - Appellant,	Case No. _____
v.	Appellant/Petitioner's Opening Brief
Defendant/Respondent - Appellee.	

**NOTICE AND INSTRUCTIONS**

If you proceed on appeal pro se, the court will accept a properly completed Form A-12 in lieu of a formal brief. This form is intended to guide you in presenting your appellate issues and arguments to the court. If you need more space, additional pages may be attached. A short statement of each issue presented for review should precede your argument. Citations to legal authority may also be included. This brief should fully set forth all of the arguments that you wish the court to consider in connection with this case.

New issues raised for the first time on appeal generally will not be considered. An appeal is not a retrial but rather a review of the proceedings in the district court. A copy of the completed form must be served on all opposing counsel and on all unrepresented parties and a proper certificate of service furnished to this court. A form certificate is attached.

## **APPELLANT/PETITIONER’S OPENING BRIEF**

**1. Statement of the Case.** (This should be a brief summary of the proceedings in the district court.)

**2. Statement of Facts Relevant to the Issues Presented for Review.**

**3. Statement of Issues.**

**a. First Issue:**

**Argument and Authorities:**

**b. Second Issue:**

**Argument and Authorities:**

**4. Do you think the district court applied the wrong law? If so, what law do you want applied?**

**5. Did the district court incorrectly decide the facts? If so, what facts?**

**6. Did the district court fail to consider important grounds for relief? If so, what grounds?**

**7. Do you feel that there are any other reasons why the district court's judgment was wrong? If so, what?**

**8. What action do you want this court to take in your case?**

**9. Do you think the court should hear oral argument in this case? If so, why?**

---

Date

---

Signature

**CERTIFICATE OF SERVICE**

I hereby certify that on \_\_\_\_\_ I sent a copy of  
(date)  
the Appellant/Petitioner’s Opening Brief to \_\_\_\_\_  
\_\_\_\_\_, at \_\_\_\_\_  
(Opposing Party or Attorney)  
\_\_\_\_\_, the last known address/email  
address, by \_\_\_\_\_.  
(state method of service)

\_\_\_\_\_  
Date Signature

---

**CERTIFICATE OF COMPLIANCE**

I certify that the total number of pages I am submitting as my  
Appellant/Petitioner’s Opening Brief is 30 pages or less or alternatively, if the total  
number of pages exceeds 30, I certify that I have counted the number of words and  
the total is \_\_\_\_\_, which is less than 13,000. I understand that if my  
Appellant/Petitioner’s Opening Brief exceeds 13,000 words, my brief may be  
stricken and the appeal dismissed.

\_\_\_\_\_  
Date Signature