

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT
QUICK REFERENCE GUIDE | COMMON MOTIONS IN CRIMINAL CASES

	For Extension of Time	Motion for Release (Bail Motion)	Motion to Withdraw as Counsel	Motion to Continue as Counsel	To Voluntarily Dismiss (incl. Post Conviction)
Rule(s)	10th Cir. R. 27.6	FRAP 9; 10th Cir. R. 9	10th Cir. R. 46.3(A) & (B)(1); 46.4(A) & (B)	10th Cir. R. 46.3(B)(2)	10th Cir. R. 42.3
Conferral	10th Cir. R. 27.1				
Length	Per FRAP 27(d)(2): Motion and response must not exceed 20 pages (handwritten or typewritten) or 5,200 words (produced using a computer), and a reply may not exceed 10 pages (handwritten or type written) or 2,600 words (produced using a computer).				
Format	FRAP 27(d)(1)(A) through (E)				
Hard Copies	Per 10th Cir. R. 27.2, paper copies of electronically-filed motions are not required.				
Emergencies	Motions requesting emergency relief (within 48 hours) require advance notice to the Clerk’s Office. 10th Cir. R. 8.2(C)				
Time to File	10th Cir. R. 27.6(B): 3 days before deadline moving party seeks to extend	Expedited Proceeding - Per 10th Cir. R. 9.2 and 9.3, memorandum & appendix due within 14 days of filing notice of appeal or motion for release; response due 14 days later	10th Cir. R. 46.3(B)(1) and (2) require CJA counsel to file either a motion to withdraw or motion for continued appointment within 14 days of case opening		
Special Notes	10th Cir. R. 27.6(A) (extensions of time disfavored), (D) (requirements), (E) (reasons must be stated) & (F) (motions for extension in criminal cases must include custody status)	10th Cir. R. 9.2(B) requires submission of an electronic appendix 10th Cir. R. 9.6: ruling on motion for release not law of the case	10th Cir. R. 46.3: All counsel seeking to withdraw in criminal case must file entry of appearance and docketing statement; CJA counsel must also file transcripts of any change of plea, sentencing, or trial. 10th Cir. R. 46.4(A): Must include service on client; if retained and client wants appointed counsel, must file proper motion for finding of eligibility in district court. 10th Cir. R. 46.4(B) if frivolous appeal, must file <i>Anders</i> brief.	10th Cir. R. 46.3(B)(2): Must include: statement re: current or previous membership on 10th Cir. CJA panel; reason why continuation is sought; and why continuation will benefit the appeal	10th Cir. R. 42.3: Must contain signed statement from client acknowledging right to appeal and expressly electing to withdraw appeal and proof of service on client him/herself

Note: This quick reference guide is provided by the Clerk’s Office for the convenience of counsel and litigants for reference purposes only and does not constitute legal advice. Counsel and litigants remain responsible for independently reviewing and complying with the Federal Rules of Appellate Procedure and the Tenth Circuit Rules.