United States Court of Appeals
Tenth Circuit

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Elisabeth A. Shumaker
Clerk of Court

Chris Wolpert
Chief Deputy Clerk

All Counsel Scheduled for Oral Argument

RE: Instructions for Calendared Cases

Dear Counsel:

The United States Court of Appeals for the Tenth Circuit will convene at the J. Reuben Clark Law School, 341 East Campus Drive, Provo, Utah, 84602. Arguing counsel must complete and file the calendar acknowledgment form (and custody status form in criminal, habeas corpus, and immigration appeals) via Electronic Case Filing (ECF) within ten days from the receipt of notice. Counsel for Amicus Curiae may not argue without permission of the court, therefore the attorneys need not return an acknowledgment form unless granted this permission.

All motions, responses and supplemental authorities concerning calendared cases must be filed in accordance with the Federal Rules of Appellate Procedures and Tenth Circuit Rules. These documents must be filed expeditiously through the ECF system.

Any party who desires to waive oral argument and submit a case on the briefs may file a motion to this effect. The motion should be filed no later than ten days before the scheduled date for oral argument. 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 oral argument. Other attorneys for the same parties not participating in oral argument may acknowledge the notice of oral argument but do not need to file a formal motion to be excused from the scheduled arguments.

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

On the date of oral argument, counsel must report to the office of the clerk 45 minutes before court convenes. This will allow everyone to get through court security in a

timely manner. Regardless of where your case falls on the docket, all arguing attorneys must check in with the clerk's office front desk 45 minutes before the court session begins, not 45 minutes before your particular argument begins.

Each case is allotted 30 minutes of time for oral argument; 15 minutes per side. Related cases may be argued as one case. In cases where more than one attorney plans to argue for one of the sides, it is up to counsel to make that division of time prior to appearance at oral argument. Please be aware that the court records oral arguments. These recordings are for the exclusive use of the court. Upon proper motion, after argument the court may allow a copy of the oral argument recording to be released to counsel.

If there are questions, please see Fed R. App. P. 28(j) and 10th Cir. R. 25 and 34 as well as visiting our website www.ca10.uscourts.gov. You may reach the 10th Circuit Calendar Team by phone at 303.335.2708, or by email at 10th_Circuit_Calteam@ca10.uscourts.gov.

Very truly yours,

ELISABETH A. SHUMAKER, Clerk