

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

CHECKLIST OF RULE REQUIREMENTS FOR PREPARATION OF APPENDIX

District Court records are not forwarded to this Court but are retained in the District Court, where they are available for the use of Counsel and the Court. All relevant portions of the District Court record cited in the brief must be included in the appendix since in most instances the Court will not have the actual district court record before it when it considers the case. The parties and counsel are required to file a joint appendix pursuant to FRAP 30(b).

Presentence Reports are no longer forwarded to the Court of Appeals in direct criminal appeals. Counsel for appellant shall provide four (4) copies of this *IMPOUNDED DOCUMENT* in separate sealed envelopes when challenging a criminal sentence. LAR 30.3(c).

1. **CONTENTS** (F.R.A.P. 30 and 32 and 3rd Cir. LAR 30.3)

- A Table of Contents with page references to the appendix page on which each document in the appendix begins.
- The notice of appeal or petition for review or enforcement.
- Docket entries in the proceedings below.
- Any relevant portions (and all relevant portions cited in the brief) of the pleadings, jury charge, findings, or transcripts. Manuscript format for transcripts is discouraged, and a motion for leave to file transcripts in manuscript format must be submitted to the Court with the appendix.
- Any other parts of the record to which the parties wish to direct the particular attention of the Court.

2. **FORM** (F.R.A.P. 32 and 3rd Cir. LAR 28.1(a)(iii) and 32.1(a) & (b) and 32.2(c))

- Same as that of the brief (8-1/2" x 11") except in patent cases where the appendix pages may be larger than 8-1/2" x 11" if necessary to reproduce patent documents. The Court will accept double-sided copies of appendices to cut down on the number of volumes.
- Volume 1 of the appendix shall include only the order(s) being appealed, and, if any, opinions and the notice of appeal and no more than 25 additional pages of record material. The Court prefers that Volume 1 of the appendix be bound into the brief.

3. **COVERS** (F.R.A.P. 12(a) and 32 and 3rd Cir. LAR 32.1(a) & (b) and 32.2(b) and (c))

- If the appendix is reproduced separately, it must have durable white covers both on the front and back.
 - Must be firmly bound along the left margin. Metal fasteners must be covered. It is requested that appendices which are velo bound and more than one inch thick be reinforced with tape along the binding.
- Name of court and the appellate docket number of case must appear centered at the top of the cover.
- Complete caption with name of appellant(s) identified (F.R.A.P. 12(a)).
- Nature of proceedings and name of court or agency below.
- Title of document.
- The designated volume number and page numbers contained therein (e.g. Volume 2, Pages 358-722).
- Only names and addresses of counsel representing parties submitting the appendix should be listed on the cover.

4. PAGINATION (F.R.A.P. 30(d))

- The pages of the appendix must be numbered consecutively, and the Table of Contents must identify the pages in the appendix on which each document begins. DO NOT USE THE ORIGINAL RECORD PAGE NUMBERS.

5. LEGIBILITY (F.R.A.P. 32(a))

- "Clear black image on white paper." The original and ALL copies of material included in the appendix must be legible.

6. COLOR OF COVERS (F.R.A.P. 32(a))

- WHITE both front and back covers (if separate from Brief).

7. NUMBER OF COPIES (3rd Cir. LAR 30.1)

- FOUR.

8. PRESENTENCE REPORT IN SENTENCING GUIDELINE APPEALS (3rd Cir. LAR 30.3(e))

- FOUR (4) COPIES. Each copy should be placed in a separate 9-1/2" x 11" envelope indicating the appellate docket number the caption of the case, and the title of the document.

9. STATEMENT OF REASONS, IF ANY, ENTERED AS PART OF THE JUDGMENT

- FOUR (4) COPIES. Each copy should be placed in a separate 9-1/2" x 11" envelope indicating the appellate docket number, the caption of the case, and the title of the document.

10. IMPOUNDED DOCUMENTS [3rd Cir. LAR 30.3(b)]

- Impounded documents shall be placed in a separate volume.

11. VIRGIN ISLANDS CASES [3rd Cir. LAR 30.1]

- An additional copy of all appendices must be filed with the Clerk of the District Court in the location from which the appeal is taken, *i.e.*, St. Thomas or St. Croix. The form issued with the briefing schedule certifying the local filing of the additional copy must be filed with the Clerk of this Court.

12. CERTIFICATE OF SERVICE [F.R.A.P. 25]

- Indicate date, method of service, AND the address to which service was made.

Visit the Third Circuit Website at <http://www.ca3.uscourts.gov> under Rules and Procedures for a copy of this checklist.

