

NOTICE OF APPELLEE'S TRANSCRIPT ORDER

DIRECTIONS: Pursuant to Rule 10, Federal Rules of Appellate Procedure, the appellee may order a transcript of those parts of the proceeding which he deems necessary and have not already been ordered by the appellant. Please complete Part I below.

PART I - TO BE COMPLETED BY APPELLEE

Case Caption: _____ District: _____

District Court Case Number: _____ Circuit Court Case Number: _____

Name of Attorney: _____

Name of Law Firm: _____

Address of Law Firm: _____

Telephone of Law Firm: _____ Attorneys For _____

Name of Court Reporter: _____ Telephone: _____

Address of Court Reporter: _____

I HAVE ORDERED A TRANSCRIPT FOR THE FOLLOWING PROCEEDINGS:

NOTE: SPECIFY THE DATE AND DESCRIPTION OF THE PROCEEDINGS.

If a trial transcript is being ordered, describe which portions of the trial transcript (voir dire, opening statements, testimony, closing arguments, Court's instructions, Court's ruling/jury verdict) are being ordered:

DATE:	DESCRIPTION:
_____	_____
_____	_____
_____	_____
_____	_____

CERTIFICATE OF COMPLIANCE

The attorney/appellee hereby certifies that copies of this Notice of Appellee's Transcript Order have been served upon the court reporter, the Clerk of the U.S. District Court and all parties, and that satisfactory arrangements for payment of any cost of transcripts ordered have been made.

Signature of Attorney/Appellee _____ Date _____

PART II - TO BE COMPLETED BY COURT REPORTER

When completed, please file one copy in the U.S. Court of Appeals and one copy in the U.S. District Court.

Date Order Received	Estimated Completion Date	Estimated Number of Original Pages
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The court reporter certifies that satisfactory arrangements for payment of any cost of transcripts ordered have been made.

Signature of Court Reporter _____ Date _____

DIRECTIONS FOR USING THIS FORM

This form requires multiple distribution, service and filing. The responsibilities of each party and the court reporter are described below.

1. **APPELLANT**

Whether or not a transcript is ordered, appellant or his counsel must complete Part I and Part II of this form. Upon completion, appellant must serve a copy on:

- a. the Court Reporter (if a transcript is ordered),
- b. all parties,
- c. the Clerk of the U.S. District Court, and
- d. the Clerk of the U.S. Court of Appeals.

NOTE: If a transcript is ordered, the appellant must obtain execution of the form by the court reporter(s) who recorded the proceedings, to insure timely filing of the transcript pursuant to F.R.A.P. Rule 10 and F.R.A.P. rule 11. Within the same 10-day period, satisfactory arrangements must be made for payment of the costs of the transcript.

Unless the entire transcript is to be included, the appellant shall comply with F.R.A.P. Rule 10(b)(3) and serve on the appellee a statement of the issues he intends to present on appeal and a copy of the order completed by the reporter. The appellant must also file the order and statement with the district court.

2. **APPELLEE**

If the entire transcript is not ordered by the appellant, refer to the provisions of F.R.A.P. Rule 10(b)(3), reproduced below for your convenience.

RULE 10. The Record on Appeal

(3) Unless the entire transcript is to be included, the appellant shall, within 10 days time provided in (b)(1) of this rule, file a statement of the issues he intends to present on the appeal and shall serve on the appellee a copy of the order or certificate and of the statement. If the appellee deems a transcript of other parts of the proceedings to be necessary, he shall, within 10 days after the service of the order or certificate and the statement of the appellant, file and serve on the appellant a designation of additional parts to be included. Unless within 10 days after service of such designation the appellant has been ordered such parts, and has so notified the appellee, the appellee may within the following 10 days either order the parts or so move in the district court for an order requiring the appellant to do so.

3. **COURT REPORTER**

Upon receipt of the completed Notice of Transcript Order from the appellant, and after satisfactory financial arrangements have been made for paying the cost of producing the transcript, complete Part III of the Notice and transmit the completed, signed Notice of Transcript Order to:

- a. Clerk of the District Court, and
- b. Clerk of the Court of Appeals for the Tenth Circuit.

Please refer to F.R.A.P. Rules 10(b) and 11(b) for your responsibility under the rules for prompt filing of the completed Notice of Transcript Order and for timely preparation of the transcript.