

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
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Elisabeth A. Shumaker
Clerk of Court

July 21, 2010

Douglas E. Cressler
Chief Deputy Clerk

Mr. Peter H. Pierotti
Mr. Gregory S. Wheeler
City of Albuquerque
Legal Department
P. O. Box 2248
Albuquerque, NM 87103

RE: 10-2102, Doe v. City of Albuquerque
Dist/Ag docket: 1:08-CV-01041-MCA-LFG

Dear Counsel:

Appellant's brief is deficient because:

The statement of jurisdiction, statement of the issues, statement of the case, statement of the facts, and summary of the argument are subject to the type-volume limitation and, therefore, incorrectly placed in the brief. See Fed. R. App. P. 32(a)(7)(B)(iii) for the portions which may be excluded from the limitation.

Since it appears that a corrected brief would exceed 30 pages, counsel is reminded that a certificate of compliance may now be required. See Fed. R. App. P. 32(a)(7)(C).

The issues presented for review is not double spaced. *See* Fed. R. App. P. 32(a)(4).

The typeface of the footnotes is too small. *See* Fed. R. App. P. 32(a)(5).

You must file a corrected brief. When submitting hard copies of the corrected brief, each copy should be placed in a separate sealed envelope. To make an effective cover for the sealed envelopes, counsel may tape a copy of the cover of the document to the envelope.

The appendix does not contain proof of service. This may be corrected by filing a separate certificate of service for the appendix. Envelopes for the 2 copies of the appendix should be submitted with the corrected hard copies of the briefs (as noted above).

The time to file a response brief will run from the date of service of appellant's corrected brief.

If you fail to correct the stated deficiencies within 10 days of the date of this letter, the deficient brief will not be filed. In addition, the appeal may be dismissed without further notice.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in cursive script that reads "Elisabeth A. Shumaker". The signature is written in black ink and has a long, sweeping horizontal line extending to the right at the end.

Elisabeth A. Shumaker
Clerk of the Court

cc: George L. Bach Jr.
John C. Bienvenu
Philip B. Davis
Brendan K. Egan
Richard Warren Hughes
Laura Louise Schauer Ives
Maureen A. Sanders

EAS/sls