

RE: Manuel Yupa-Yauri v. Atty Gen USA

Case Number: 10-4115

Agency Case Number: A094-894-963

## **BRIEFING INFORMATION FOR PRO SE LITIGANTS**

### **Filing Dates**

The scheduling order that you have received with this notice sets forth the due dates for filing the briefs in the matter. Briefs and appendices are timely filed if mailed on or before the last day for filing. Fed. R. App. P. 25(a). If the opening brief in a civil case is not filed by the due date and no motion for an extension of time has been submitted, the Clerk will dismiss the appeal for lack of prosecution without further notice pursuant to Fed. R. App. P. 3(a) and 3rd Cir. Misc. 107.2(b).

### **Format**

A party pro se may file either a formal brief and appendix or use the enclosed informal brief form. The requirements for a formal brief are set forth in Fed. R. App. P. 28 and 3rd Cir. LAR 28 and 32. If you choose to file an informal brief, you may not file a formal brief at a later date. All briefs must be legible. The page limits are 30 pages for either type of opening brief and 15 pages for a reply brief.

### **Number of Copies**

A party is required to file an original and nine (9) copies of a brief with the Court. One copy of the brief must be served on opposing counsel and a certificate of service must be filed with the Clerk. If you were granted leave to proceed in forma pauperis or are using the informal brief form, you may file an original and three (3) copies of the brief with the Court. One copy must still be served on opposing counsel and a certificate of service is required.

### **Appendix**

If filing a formal brief, four (4) copies of an appendix must be filed with the Court and one (1) copy served on opposing counsel. If you are filing an informal brief, relevant documents may be attached to the informal brief instead of filing a formal appendix. Litigants who have been granted in forma pauperis status may proceed on the original record, provided that the order(s)/opinion(s) being appealed, the notice of appeal, and the district court docket are attached to the brief. 3rd Cir. LAR 30.2.

### **Certificate of Service**

All documents filed with this Court must have a certificate of service which states the name of the persons served, the date of service, and the method of service.