

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

11-1829

Jose Cruz v. Commissioner Social Security

5-09-cv-01540

**BRIEFING AND SCHEDULING ORDER**

**Effective December 15, 2008, the Court implemented the Electronic Case Files System. Accordingly, attorneys are required to file all documents electronically. See 3d Cir. L.A.R. 113 (2008) and the Court's CM/ECF website at [www.ca3.uscourts.gov/ecfwebsite](http://www.ca3.uscourts.gov/ecfwebsite).**

It is **ORDERED** that the brief for Appellant(s) and the joint appendix shall be filed and served on or before **05/23/2011**.

It is **FURTHER ORDERED** that the brief(s) for Appellee(s) shall be filed and served within thirty (30) days of service of Appellant's (Appellants') brief.

It is **FURTHER ORDERED** that a reply brief, if any, shall be filed and served within fourteen (14) days of service of Appellee's (Appellees') brief(s).

It is **FURTHER ORDERED** that in the event of default by Appellant in filing the brief and appendix as directed, the appeal may be dismissed without further notice.

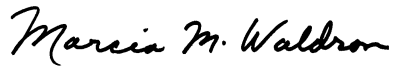
It is **FURTHER ORDERED** that if Appellee fails to file a brief within the time directed, the matter will be listed on Appellant's brief only and Appellee may be subject to such sanctions as the Court deems appropriate.

**It is noted that, where applicable, parties must comply with 3rd Cir. LAR 31.2 which provides:** A local, state or federal entity or agency, which was served in the district court and which is the appellee, must file a brief in all cases in which a briefing schedule is issued unless the court has granted a motion seeking permission to be excused from filing a brief. The rule does not apply to entities or agencies that are respondents to a petition for review unless the entity or agency is the sole respondent or to entities or agencies which acted solely as an adjudicatory tribunal.

This Court requires the filing of briefs by counsel in both electronic and paper format. 3rd Cir. LAR 31.1(b). Pro Se litigants are exempt from the electronic filing requirement. Pursuant to 3rd Cir. LAR 30.1(a), counsel must electronically file the appendix in accordance with LAR Misc. 113.

Checklists regarding the requirements for filing a brief and appendix are available on the Court's website at [www.ca3.uscourts.gov](http://www.ca3.uscourts.gov).

For the Court,



Marcia M. Waldron, Clerk

Dated: April 12, 2011

cc:

Jonathan F. Ball, Esq.

Patricia M. Smith, Esq.