

United States Court of Appeals
FIFTH CIRCUIT
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November 11, 2009

Mr. Timothy M Maggio
Locke, Lord, Bissell & Liddell, L.L.P.
111 S. Wacker Drive
Chicago, IL 60606

No. 09-10875, USA v. North American Islamic Trust
USDC No. 3:04-CR-240-1

We have docketed the appeal as shown above, and ask you to use the case number in future inquiries. You can obtain a copy of our briefing checklist on the Fifth Circuit's Website "www.ca5.uscourts.gov/clerk/docs/brchecklist.pdf".

Briefing Notice . The record is complete for purposes of the appeal, see FED. R. APP. P. 12. Appellant's brief and record excerpts are due within 40 days of the date shown above, see FED. R. APP. P. & 5TH CIR. R. 28, 30, and 31. See also 5TH CIR. R. 30.1.2 and 5TH CIR. R. 31.1 to determine if you have to file electronic copies of the brief and record excerpts. [If required, **electronic copies MUST be in Portable Document Format (PDF)**.]

Policy on Extensions . The court grants extensions sparingly and under the criteria of 5TH CIR. R. 31.4. You must contact opposing counsel and tell us if the extension is opposed or not. 5TH CIR. R. 31.4 and the Internal Operating Procedures following rules 27 and 31 state that except in the most extraordinary circumstances, the maximum extension for filing briefs is 30 days in criminal cases and 40 days in civil cases.

Reply Brief . We do not send cases to the court until all briefs are filed, except in criminal appeals. Reply briefs must be filed within the 14 day period of FED. R. APP. P. 31(a)(1). See 5TH CIR. R. 31.1 to determine if you have to file electronic copies of the brief, and the format.

Brief Covers . THE CASE CAPTION(S) ON BRIEF COVERS MUST BE EXACTLY THE SAME AS THE CASE CAPTION(S) ON THE ENCLOSED TITLE CAPTION SHEET(S). **YOU WILL HAVE TO CORRECT ANY MODIFICATIONS YOU MAKE TO THE CAPTION(S) BEFORE WE SUBMIT YOUR BRIEF TO THE COURT.**

Dismissal of Appeals . The clerk may dismiss appeals **without notice** if you do not file a brief on time.

Appearance Form . If you have not filed an appearance form as required by 5TH CIR. R. 46, you must do so within 10 days from

this date. You must name each party you represent, See FED. R. APP. P. and 5TH CIR. R. 12. You may print or download the "Form for Appearance of Counsel" from the Fifth Circuit's web site, www.ca5.uscourts.gov.

To receive the record for preparing your brief, counsel, including CJA attorneys, must provide the appropriate district court with a United Parcel Service, or similar commercial delivery service, account number. If you wish to receive exhibits, you must specifically request them. The district court will charge your account for shipping you the record on appeal. In the alternative, you may contact a local courier or attorney support services firm to pick up the record and ship it to you. CJA counsel may add these shipping fees to their vouchers.

Once you obtain the record, you should check it within 10 days of receipt for any missing or incomplete items. If you need to request a supplemental record or order transcripts, do so promptly. The court will not grant extensions of time to file your brief because you did not timely check the record.

CHARLES R. FULBRUGE III, Clerk

Gina Randazzo Martin

By: _____
Gina Randazzo Martin, Deputy Clerk
504-310-7687

Enclosures

cc: w/encl: Ms. Susan Cowger

BR1

Case No. 09-10875

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

HOLY LAND FOUNDATION FOR RELIEF AND DEVELOPMENT, ET AL

Defendants

NORTH AMERICAN ISLAMIC TRUST,

Movant - Appellant