

4cca-30

REV. 10/30/07

TRANSMITTAL SHEET
(Notice of Appellate Action)

<input type="checkbox"/> Notice of Filing <input type="checkbox"/> Cross Appeal <input checked="" type="checkbox"/> Interlocutory Appeal <input type="checkbox"/> Additional NOA <input type="checkbox"/> Amended NOA <input type="checkbox"/> Transmittal of Record <input type="checkbox"/> Transmittal of Certif. <input type="checkbox"/> Supplement to ROA <input type="checkbox"/> Supplemental Certif. <input type="checkbox"/> Other	UNITED STATES DISTRICT COURT for the Eastern DISTRICT OF Virginia at <u>Richmond</u> Caption: Betty J. Ostergren v. Robert F. McDonnell, etc.	District Court No.: <u>3:08-cv-00362-REP</u> 4CCA No.: _____ Consolidated with No.: _____ Case Manager: _____
---	--	---

Part I

Notice of appeal is enclosed to all parties (except to appellant in civil cases); NOA, docket entries, district court opinion and order, and magistrate judge's recommendation (if applicable) are enclosed to 4CCA.

1. NOA filed: 06/24/2009	4. Fees _____ USA no fee required \$5 filing fee: <input checked="" type="checkbox"/> paid _____ unpaid \$450 docket fee: <input checked="" type="checkbox"/> paid _____ unpaid
2. Amended NOA filed:	Pauper status: _____ granted _____ denied _____ pending in dist.ct. Does PLRA Apply? _____ Yes _____ No 3-strikes? _____ Yes _____ No [If PLRA applies, 4CCA sends forms & acts on application]
3. District Judge: Judge Robert E. Payne	5. Materials Under Seal in District Court: _____ Yes <input checked="" type="checkbox"/> No Party Names Under Seal in District Court: _____ Yes <input checked="" type="checkbox"/> No
6. Court Reporter(s) (list all): Peppy Strahan Coordinator:	7. Criminal/Prisoner Cases _____ recalcitrant witness Defendant's Address: _____ on death row _____ in custody _____ on bond _____ on probation

Part II

TRANSMITTAL OF RECORD/CERTIFICATE OF AVAILABILITY OF RECORD

<input type="checkbox"/> ORIGINAL RECORD <input type="checkbox"/> SUPPLEMENT TO RECORD	
USE FOR RECORDS IN ELECTRONIC FORM: <input type="checkbox"/> PRO SE: Automatically transmit assembled electronic record to 4CCA in pro se cases. Does electronic record include all filings? <input type="checkbox"/> YES <input type="checkbox"/> NO If NO, list contents and transmittal method for supplement here (supplement must be transmitted): _____ _____ _____ <input type="checkbox"/> COUNSELED: Available for transmittal In-court hearing(s) held? _____ YES _____ NO All transcript on file? _____ YES _____ NO 4CCA will request transmittal of record when needed in counseled cases.	USE FOR RECORDS IN PAPER FORM: <input type="checkbox"/> PRO SE: Automatically transmit paper record to 4CCA in pro se cases. List contents by volume number & number of boxes (pleadings, transcript, exhibits, state court records, sealed): _____ _____ _____ _____ <input type="checkbox"/> COUNSELED: Available for transmittal In-court hearing(s) held? _____ YES _____ NO All transcript on file? _____ YES _____ NO 4CCA will request transmittal of record when needed in counseled cases.

Deputy Clerk: Laurie C. Breeden Phone: 804-916-2207 Date: June 25, 2009