

4cca-30

REV. 10/30/07

TRANSMITTAL SHEET
(Notice of Appellate Action)

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| <input checked="" type="checkbox"/> Notice of Filing <input type="checkbox"/> Cross Appeal <input 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: Commonwealth of Virginia, Ex Rel. Kenneth T. Cuccinelli, II v. Kathleen Sebelius, et al | District Court No.: 3:10-cv-00188-HEH <hr/> 4CCA No.: _____ Consolidated with No.: _____ Case Manager: _____ |
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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.

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| 1. NOA filed: 01/18/2011 | 4. Fees <input checked="" type="checkbox"/> USA no fee required \$5 filing fee: _____ paid _____ unpaid \$450 docket fee: _____ paid _____ unpaid 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] |
| 2. Amended NOA filed: | 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 |
| 3. District Judge: Judge Henry E. Hudson | 7. Criminal/Prisoner Cases _____ recalcitrant witness Defendant's Address: _____ on death row _____ in custody _____ on bond _____ on probation |
| 6. Court Reporter(s) (list all): Krista Liscio Coordinator: | (Continuation of 7. Criminal/Prisoner Cases) |

Part II

TRANSMITTAL OF RECORD/CERTIFICATE OF AVAILABILITY OF RECORD

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|--|--|
| <input type="checkbox"/> ORIGINAL RECORD <input type="checkbox"/> SUPPLEMENT TO RECORD | USE FOR RECORDS IN PAPER FORM: |
| 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. | <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: January 19, 2011